

RCRAInfo CM&E EVALUATION – VIOLATION FORM

007

*EPA ID Number		PAD097153399			EIN		
Handler Name		Hauer Custom Mfg Inc <i>CEI Douglassville</i>					
Street	447 Old Swede Rd						
City	Douglassville	State	PA	Zip Code	19818		
Actual Generator Status <i>Check only if different from Notified Status.</i>		LQG <input checked="" type="checkbox"/> SQG <input type="checkbox"/> CESQG <input type="checkbox"/> Closed <input type="checkbox"/> Non-Handler <input type="checkbox"/>					
Universe Change Required? <i>(Generator Status Change Required)</i>		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If YES, complete the Universe Change Section (on reverse side of this form).					
RCRA Non-Notifier?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If YES, complete the Handler Section (on reverse side of this form).					
Other Facility Information Changes?		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If YES, complete the Handler Section (on reverse side of this form).					
*EVALUATION		<input checked="" type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete		You must provide an Evaluation Identifier (also known as the Sequence Number).			
*Evaluation Identifier	*Type	*Evaluation Start Date (mm/dd/yyyy)	*Agency	Responsible Person	Suborganization		
001	CEI	4/19/2006	S	BLM	WM		
Day Zero (mm/dd/yyyy): You need to specify Day Zero for all evaluation types except CDI, CSE, FUI, SNN, and SNN, otherwise it defaults to Evaluation Start Date. For CDI, CSE, FUI, and SNN evaluations, you must select a previous CEI Start Date for the Day Zero. SNN evaluation type does not require a Day Zero.				Reclassified SV Date: Only applicable for SNN evaluation type as appropriate.			
Notes:				No Violations Noted			
Evaluation Indicator Field (Check all that apply) <input type="checkbox"/> Citizen Complaint <input type="checkbox"/> Multimedia Inspection <input type="checkbox"/> Sampling <input type="checkbox"/> Not Subtitle C							
Focused Coverage Areas (Use Only for Evaluation Type FCI) <i>Regulation-Specific FCI</i> BIF <input type="checkbox"/> CCI <input type="checkbox"/> CFI <input type="checkbox"/> INC <input type="checkbox"/> LDR <input type="checkbox"/> PTB <input type="checkbox"/> PTX <input type="checkbox"/> THI <input type="checkbox"/> UIC <input type="checkbox"/> UOI <input type="checkbox"/> UWR <input type="checkbox"/> OTHER (specify): _____ <i>Routine/Standardized FCI</i> CAR <input type="checkbox"/> CPC <input type="checkbox"/> DOS <input type="checkbox"/> EMR <input type="checkbox"/> IEI <input type="checkbox"/> ISI <input type="checkbox"/> RTI <input type="checkbox"/>							
Does this Evaluation Add/Update/Delete a Violation?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		If Yes, fill in the Violations Section(s) on page 2 of this form.			
Does this Evaluation link to a Commitment?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		If Yes, please use the RCRAInfo 3007 Information Requests and Commitments Form.			
Does this Evaluation link to a 3007 Request?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		If Yes, please use the RCRAInfo 3007 Information Requests and Commitments Form.			
OUTSTANDING VIOLATIONS COVERED BY ABOVE EVALUATION? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If Yes, fill in information below.							
*Seq. No.	*Violation Type	*Agency	*Regulation Citation (Type + Citation) (ex. FR 262.1)		*Date Determined (mm/dd/yyyy)		

*Required Fields

JR

EPA ID Number				Handler Name			
PAD097153399				Hauer Custom Mfg Inc			
VIOLATIONS SECTION (Additional Violations can be added/updated/deleted using the RCRAInfo CM&E Additional Violations Form)							
VIOLATION <input type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete						Link to Above Evaluation <input type="checkbox"/>	
Seq. No	Violation Type	Agency	Determined Date (mm/dd/yyyy)	Return to Compliance (RTC) Qualifier		Actual RTC Date (mm/dd/yyyy)	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A RTC Qualifier is required if entering an Actual RTC Date.		<input type="text"/>	
Notes: _____							
LINK CITATIONS TO ABOVE VIOLATION?				YES <input type="checkbox"/> NO <input type="checkbox"/>		If Yes, fill in information below	
Citation Type		Citation		Citation Type		Citation	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
VIOLATION <input type="checkbox"/> Add <input type="checkbox"/> Update <input type="checkbox"/> Delete						Link to Above Evaluation <input type="checkbox"/>	
Seq. No	Violation Type	Agency	Determined Date (mm/dd/yyyy)	Return to Compliance (RTC) Qualifier		Actual RTC Date (mm/dd/yyyy)	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> A RTC Qualifier is required if entering an Actual RTC Date.		<input type="text"/>	
Notes: _____							
LINK CITATIONS TO ABOVE VIOLATION?				YES <input type="checkbox"/> NO <input type="checkbox"/>		If Yes, fill in information below	
Citation Type		Citation		Citation Type		Citation	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
HANDLER SECTION (Fill out if RCRA Non-Notifier)							
Handler Name		Cei - Douglassville		Contact		Kenneth A. Fishman	
Street		447 Old Swede Road					
City		Douglassville		State	PA	Zip Code	19518
County		Berks					
UNIVERSE CHANGE SECTION (Fill out if Universe Change Required)							
i. Indicate the Facility's current Universe(s):							
ii. Indicate the new RCRAInfo Generator Universe: <i>Note: All TSD activity changes must be handled by the IOR and cannot be made using this form.</i>				LQG <input type="checkbox"/> SQG <input type="checkbox"/> CEG <input type="checkbox"/> Non-Handler <input type="checkbox"/> Closed <input type="checkbox"/>			
iii. Indicate the new transporter status: (Only fill out if the facility requires a transporter status change)		Transporter <input type="checkbox"/> <i>If the transporter box is checked, you must check at least one mode of transportation below:</i> <input type="checkbox"/> Air <input type="checkbox"/> Water <input type="checkbox"/> Rail <input type="checkbox"/> Other <input type="checkbox"/> Highway			Non-Transporter <input type="checkbox"/> Check non-transporter if the facility is currently listed in RCRAInfo as a transporter AND no longer transports hazardous waste.		

*Required Fields



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

Inspection Date 4/19/06 ^{EPA}Time Start 12:40Time Finish 3:30HAZARDOUS WASTE INSPECTION REPORT efact# 1529759☒ GENERATOR☐ S Q GENERATORCompany name Hauer Custom Mfg IncEPA I.D. Number PAD097153399 Employer I.D. Number (EIN) _____Site Address 447 Old Swede Road, Douglassville, PACounty Berks Municipality Amity Zip 19518Name of Inspector Brian L. MooreName & Title of Responsible Official Kenneth Fishman, Supervisor Tech ServicesPerson Interviewed Kenneth Fishman Telephone (610) 385-0478 610-385-750

Mailing Address (if different from above) _____

Amount of Hazardous Waste Generated per Month: 1600 Pounds _____ Kgs

1. Site Characterization:

STORAGE: ☒ Container ☐ Tanks ☐ Containment Bldg. ☐ Drip Pad Other _____PBR: ☐ Neutralization/WWTP ☐ Reclaim Other _____GENERATOR TREATMENT ☐ Containers ☐ Tanks ☐ Containment Bldg. ☐ Drip Pad2. Universal Waste: ☒ Large Quantity Handler ☐ Small Quantity HandlerUniversal Waste Types Fluorescent Light Bulbs, Alkaline Batteries

3. Hazardous Waste Transporters:

Transporter Name Republic Environmental Systems License Number PA-AH 0317

Transporter Name _____ License Number _____

Transporter Name _____ License Number _____

4. Types of hazardous waste generated and destination facility (location & type).

Waste Code	Waste Description	Destination Facility
D001	Waste Aerosols	Republic Env. Sys, Hatfield, PA
D001, D006, D007, D018	Combustible Liquids	Republic Env. Sys, Hatfield, PA
D001	Mineral Spirits	PetroChem, Detroit, MI
D001, F003, F005	Flammable Liquids, Ethanol	Republic Env. Sys, Hatfield, PA
D001	Flammable Liquids, Isopropyl	Republic Env. Sys, Hatfield, PA
D001	Bleach Tabs	Republic Env. Sys, Hatfield, PA
D001	Flammable Liquids	Republic Env. Sys, Hatfield, PA

EPA-600
hazardous

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS -- SMALL QUANTITY GENERATORS

Site Name Hauer Custom Mfg Inc ID Number PAD097153399 Date 04/19/06

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA Code	FED. CIT. 40 CFR	LINE NO.
X				Hazardous waste determination performed on all waste streams	262a.10	262.11	H001
X				Identification Number	262a.10	262.12	H002
X				Authorized transporters only	262a.10	262.12(c)	H003
X				Subsequent notification requirements met	262a.12(b)		H004
X				Proper manifest used	262a.10	262.21	H005
X				Manifests filled out correctly and completely	262a.20		H006
X				Manifests signed and routed properly	262a.23(a)	262.23	H007
X				Generator waste accumulated on site for 90 days or less	262a.10	262.34(a)	H008
	X			SQG waste accumulated on site for 180 days max unless 200 mile distance rule applies - 270 days	262a.10	262.34(e)(f)	H009
	X			SQG waste accumulated on-site never exceeds 6000 kg	262a.10	262.34(e)(f)	H010
X				Satellite accumulation requirements complied with	262a.10	262.34(c)	H011
X				Personnel training program per 265.16 complied with	262a.10	262.34(a)(4) 262.34(d)	H012
X				Manifest exception and biennial reports retained for 3 years	262a.10	262.40(a)(b)	H013
X				Specified records retained for three years	262a.10	262.40(c)	H014
X				Biennial reports submitted to the Department (LQG only)	262a.41	262.41	H015
X				Exception reporting procedures followed	262a.42	262.42	H016
X				Spill reporting procedures followed	262a.10	262.34(d)	H017
X				PPC plan developed and implemented	262a.10	262.34(a)	H018
	X			Special requirements followed for international shipments	262a.10	262.50 262.60	H019
X				Source reduction strategy prepared and available (LQG only)	262a.100		H020
X				Excluded waste complies with exclusionary requirements	261a.4	261.4	H021

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS -- SMALL QUANTITY GENERATORS FACILITY SPECIFICS

Site Name Hauer Custom Mfg Inc ID Number PAD097153399 Date 04/19/06

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA Code	FED CIT. 40 CFR	LINE NO.
				CONTAINERS (Subchapter I)			
X				Containers managed in compliance with 40 CFR Part 265 Subpart I and 25 PA Code Chapter 265a Subchapter I	262a.10	262.34	H025
X				Containers of hazardous waste in good condition	265a.1	265.171	H026
X				Containers and stored waste compatible	265a.1	265.172	H027
X				Containers kept closed except during addition or removal of wastes	265a.1	265.173(a)	H028
X				Containers managed to prevent leaks	265a.1	265.173(b)	H029
X				Container configuration and spacing insures safe management and access for inspection purposes and emergency equipment	265a.173		H030
X				Container storage areas inspected at least weekly	265a.1	265.174	H031
X				Special requirements for ignitable or reactive and incompatible waste complied with	265a.1	265.176-177	H032
X				Proper containment and collection systems in place	265a.179		H033
X				Air emission standards complied with (AA, BB, CC)	265a.1	265.178	H034
X				Containers clearly marked with accumulation date and visible for inspection	262a.10	262.34(a)(2)	H035
X				Containers labeled "Hazardous Waste"	262a.10	262.34(a)(3)	H036
X				Containers labeled accurately identify contents	SWMA 6018.403(b) (2)		H037

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS -- SMALL QUANTITY GENERATORS FACILITY SPECIFICS

Site Name Hauer Custom Mfg Inc ID Number PAD097153399 Date 04/19/06

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA CODE	FED CIT. 40 CFR	LINE NO.
				LQG TANKS (Subchapter J)			
	X			Tanks labeled "Hazardous Waste"	262a.10	262.34(a)(3)	H040
	X			Written certification by registered professional engineer for proper tank (system) design and installation on file	262a.10	265.192(a)	H041
	X			Secondary containment provided for tanks (systems) as required	265a.193	265.193	H042
	X			Tanks (systems) managed to prevent rupture, leak, corrode or fail	265a.1	265.194	H043
	X			Tanks labeled to accurately identify contents	265a.194		H044
	X			Required inspections completed and documented in operating log	265a.195	265.195	H045
	X			Release reported to Department within 24 hours, unless exempted	265a.1	265.196	H046
	X			Special requirements for ignitable and reactive wastes followed	265a.1	265.198	H047
	X			Special small quantity generator requirements	265a.1	265.201	H048
				SQG TANKS			
	X			Waste contents compatible with tank	265a.1	265.201(b)(2)	H051
	X			Uncovered tanks operated with 2 feet of freeboard or equivalent containment capacity	265a.1	265.201(b)(3)	H052
	X			If continuously fed, tank has method to stop inflow	265a.1	265.201(b)(4)	H053
	X			Daily tank inspection requirements complied with	265a.1	265.201(c)(1-3)	H054
	X			Weekly tank inspection requirements complied with	265a.1	265.201(c)(4,5)	H055
	X			All waste removed at closure	265a.1	265.201(d)	H056
	X			Special requirements for ignitable or reactive waste complied with	265a.1	265.201(e)(1)	H057
	X			Covered tank buffer zone requirements complied with	265a.1	265.201(e)(2)	H058
	X			Incompatible waste requirements met	265a.1	265.201(f)	H059

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS -- SMALL QUANTITY GENERATORS FACILITY SPECIFICS

Site Name Hauer Custom MFG Inc ID Number PAD097153399 Date 04/19/06

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA CODE	FED CIT. 40 CFR	LINE NO.
				Containment Buildings (Subchapter T)			
	X			Building completely enclosed to prevent exposure to the elements	265a.1	265.1101(a)(1)	H061
	X			Meets special requirements if liquids present	265a.1	265.1101(b)	H062
	X			Primary barrier free of significant gaps, cracks and deterioration	265a.1	265.1101(c)(1)(i)	H063
	X			Level of hazardous waste within unit is below containment walls	265a.1	265.1101(c)(1)(ii)	H064
	X			Tracking of waste out of unit by equipment or personnel prevented	265a.1	265.1101(c)(1)(iii)	H065
	X			No visible dust emissions at doors, windows, vents, etc.	265a.1	265.1101(c)(1)(iv)	H066
	X			Professional engineer's certification placed in operating record	265a.1	265.1101(c)(2)	H067
	X			Required inspections performed and logged in operating record	265a.1	265.1101(c)(4)	H068
				Drip Pads (Subchapter S)			
	X			Engineer's certification of existing drip pads on file	265a.1	265.441(a)	H069
	X			Drip pad meets 265.443 design & operating standards	265a.1	265.443	H070
	X			(a) nonearthen, sloped construction with berm to channel associated drippage to collection system	265a.1	265.443(a)	H071
	X			(b) Has synthetic liner below the pad with properly constructed leak detection system	265a.1	265.443(b)	H072
	X			Drip pads & collection system maintained to prevent deterioration	265a.1	265.443(c)	H073
	X			Drip pads & collection systems designed to prevent run-off	265a.1	265.443(d)	H074
	X			Run-on/run-off control system maintained unless pad protected by a structure	265a.1	265.443(e)	H075
	X			Release reporting requirements met	265a.1	265.443(m)	H076
	X			Drip pads inspected weekly and after storms when in operation	265a.1	265.444(b)	H077

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of Inspection 04/19/06

Identification Number PAD097153399

Company/Facility/Site Name Hauer Custom Mfg Inc

On April 19, 2006 Bryn Witmier and I conducted a residual waste inspection and a compliance evaluation inspection at the Hauer Custom Mfg Site, which is now CEI-Douglassville (CEI) The company, was sold in April of 2005 but retains the same management, processes and EPA ID number.

Observations:

- 1) CEI has two hazardous waste storage areas. One is for drums of flammable liquids, the other is for spent aerosol cans.
- 2) CEI has three residual waste storage areas. One area is for storing drums of out of date products and unusable raw materials, the other two are for storing used oil.
- 3) CEI has one residual waste storage tank outside their building. The tank is heated to promote water evaporation and reduce the amount of waste produced. The tank has three storage compartments and a fourth overflow compartment. The tank is emptied when two of the compartments are full which is approximately 5,000 gallons.

Recommendations:

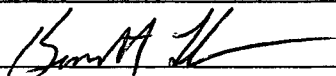
- 1) Check all drums of residual waste looking specifically at dates to ensure annual disposal
- 2) Continue to ensure that all drums to be used for waste are labeled as part of the filling process.
- 3) Remove product labels from drums that are to be used for waste to eliminate confusion
- 4) Inspect all storage areas for proper signage
- 5) Check records to make sure that a subsequent notification form was filled out and sent to the Pennsylvania Department of Environmental Protection and EPA for the name change to CEI-Douglassville from Hauer Custom MFG Inc.

This inspection report is notice of the findings of an inspection conducted by a representative of the Department. This report is formal notification of any violations observed during the inspection. Additional notification of violations may be issued concerning either violations noted herein, or other violations identified as a result of review of laboratory analyses or Department records.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the persons interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed



(Signature)

Date

4/21/06

Inspector



(Signature)

Date

4/21/06

EPA-900
in records

DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

RCRA Corrective Action

Environmental Indicator (EI) RCRIS code (CA725)

Current Human Exposures Under Control

Facility Name: Hauer Custom Manufacturing, Inc. (Kiwi Brands, Inc.)
Facility Address: Route 662 North, Douglassville, Pennsylvania 19518
Facility EPA ID #: PAD 09 715 3399

1. Has all available relevant/significant information on known and reasonably suspected releases to soil, groundwater, surface water/sediments, and air, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been **considered** in this EI determination?

☒ If yes - check here and continue with #2 below.

☐ If no - re-evaluate existing data, or

☐ If data are not available skip to #6 and enter "IN" (more information needed) status code.

BACKGROUND

Definition of Environmental Indicators (for the RCRA Corrective Action)

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Current Human Exposures Under Control" EI

A positive "Current Human Exposures Under Control" EI determination ("YE" status code) indicates that there are no "unacceptable" human exposures to "contamination" (i.e., contaminants in concentrations in excess of appropriate risk-based levels) that can be reasonably expected under current land- and groundwater-use conditions (for all "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Current Human Exposures Under Control" EI are for reasonably expected human exposures under current land- and groundwater-use conditions ONLY, and do not consider potential future land- or groundwater-use conditions or ecological receptors. The RCRA Corrective Action program's overall mission to protect human health and the environment requires that Final remedies address these issues (i.e., potential future human exposure scenarios, future land and groundwater uses, and ecological receptors).

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)

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2. Are groundwater, soil, surface water, sediments, or air **media** known or reasonably suspected to be "**contaminated**"¹ above appropriately protective risk-based "levels" (applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action (from SWMUs, RUs or AOCs)?

	<u>Yes</u>	<u>No</u>	<u>?</u>	<u>Rationale / Key Contaminants</u>
Groundwater	_____	<u>X</u>	_____	_____
Air (indoors) ²	_____	<u>X</u>	_____	_____
Surface Soil (e.g., <2 ft)	_____	<u>X</u>	_____	_____
Surface Water	_____	<u>X</u>	_____	_____
Sediment	_____	<u>X</u>	_____	_____
Subsurf. Soil (e.g., >2 ft)	_____	<u>X</u>	_____	_____
Air (outdoors)	_____	<u>X</u>	_____	_____

X If no (for all media) - skip to #6, and enter "YE," status code after providing or citing appropriate "levels," and referencing sufficient supporting documentation demonstrating that these "levels" are not exceeded.

_____ If yes (for any media) - continue after identifying key contaminants in each "contaminated" medium, citing appropriate "levels" (or provide an explanation for the determination that the medium could pose an unacceptable risk), and referencing supporting documentation.

_____ If unknown (for any media) - skip to #6 and enter "IN" status code.

Rationale and Reference(s):

The following four releases have occurred at the facility:

- 1) January 29, 1988 - 700 gallons of mineral spirits were released due to a faulty tank level indicator at an underground storage tank. Clean up operations were immediately undertaken, with the collection of any recoverable mineral spirits, the excavation of approximately 120 tons of contaminated soil and the installation of three recovery wells.
- 2) July 24, 1990 - 30-50 gallons of mineral spirits were released at this same underground storage tank area during unloading operations. Groundwater at the three wells in the spill area were purged and sampled for petroleum hydrocarbons, and found to be non-detect. A tank overflow protection system was installed in 1990 to prevent future spills, and the underground storage tank was later removed in 1993 under Pennsylvania Department of Environmental Protection (PADEP) oversight. Groundwater sampling, required under the PADEP underground storage tank removal program, found no detectable levels of contaminants in the groundwater.
- 3) September 6, 1988 - An unknown amount of a nonhazardous surfactant (Neodol 25-7) was accidentally released from a rooftop tank. The surfactant traveled from the rooftop to an on-site fire pond. PADEP investigated the spill and found that it had been remediated through biodegradation of the Neodol 25-7.
- 4) September 13, 1994 - 115 gallons of mineral spirits were released from a delivery tanker near the tank pumphouse. Immediate containment was accomplished, and contaminated soil and asphalt were excavated and sent off-site for disposal. The excavated area was then backfilled with clean soil.

Based on these spills and the clean up actions that were taken, there is no reason to believe that any media onsite is contaminated above appropriate risk-based levels. Reference: *Environmental Indicator Inspection Report* for Kiwi Brands Inc., dated December, 1, 1998.

Footnotes:

¹ "Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriately protective risk-based "levels" (for the media, that identify risks within the acceptable risk range).

² Recent evidence (from the Colorado Dept. of Public Health and Environment, and others) suggest that unacceptable indoor air concentrations are more common in structures above groundwater with volatile contaminants than previously believed. This is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration necessary to be reasonably certain that indoor air (in structures located above (and adjacent to) groundwater with volatile contaminants) does not present unacceptable risks.

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)

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3. Are there **complete pathways** between “contamination” and human receptors such that exposures can be reasonably expected under the current (land- and groundwater-use) conditions?

Summary Exposure Pathway Evaluation Table

Potential **Human Receptors** (Under Current Conditions)

<u>“Contaminated” Media</u>	Residents	Workers	Day-Care	Construction	Trespassers	Recreation	Food ³
Groundwater	___	___	___	___			___
Air (indoors)	___	___	___				
Soil (surface, e.g., <2 ft)	___	___	___	___	___	___	___
Surface Water	___	___			___	___	___
Sediment	___	___			___	___	___
Soil (subsurface e.g., >2 ft)	___			___			___
Air (outdoors)	___	___	___	___	___		

Instructions for **Summary Exposure Pathway Evaluation Table**:

1. Strike-out specific Media including Human Receptors' spaces for Media which are not “contaminated”) as identified in #2 above.
2. enter “yes” or “no” for potential “completeness” under each “Contaminated” Media -- Human Receptor combination (Pathway).

Note: In order to focus the evaluation to the most probable combinations some potential “Contaminated” Media - Human Receptor combinations (Pathways) do not have check spaces (“___”). While these combinations may not be probable in most situations they may be possible in some settings and should be added as necessary.

- _____ If no (pathways are not complete for any contaminated media-receptor combination) - skip to #6, and enter “YE” status code, after explaining and/or referencing condition(s) in-place, whether natural or man-made, preventing a complete exposure pathway from each contaminated medium (e.g., use optional Pathway Evaluation Work Sheet to analyze major pathways).
- _____ If yes (pathways are complete for any “Contaminated” Media - Human Receptor combination) - continue after providing supporting explanation.
- _____ If unknown (for any “Contaminated” Media - Human Receptor combination) - skip to #6 and enter “IN” status code

Rationale and Reference(s): _____

³ Indirect Pathway/Receptor (e.g., vegetables, fruits, crops, meat and dairy products, fish, shellfish, etc.)

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)

Page 4

4. Can the **exposures** from any of the complete pathways identified in #3 be reasonably expected to be **“significant”**⁴ (i.e., potentially “unacceptable” because exposures can be reasonably expected to be: 1) greater in magnitude (intensity, frequency and/or duration) than assumed in the derivation of the acceptable “levels” (used to identify the “contamination”); or 2) the combination of exposure magnitude (perhaps even though low) and contaminant concentrations (which may be substantially above the acceptable “levels”) could result in greater than acceptable risks)?

_____ If no (exposures can not be reasonably expected to be significant (i.e., potentially “unacceptable”) for any complete exposure pathway) - skip to #6 and enter “YE” status code after explaining and/or referencing documentation justifying why the exposures (from each of the complete pathways) to “contamination” (identified in #3) are not expected to be “significant.”

_____ If yes (exposures could be reasonably expected to be “significant” (i.e., potentially “unacceptable”) for any complete exposure pathway) - continue after providing a description (of each potentially “unacceptable” exposure pathway) and explaining and/or referencing documentation justifying why the exposures (from each of the remaining complete pathways) to “contamination” (identified in #3) are not expected to be “significant.”

_____ If unknown (for any complete pathway) - skip to #6 and enter “IN” status code

Rationale and Reference(s): _____

⁴ If there is any question on whether the identified exposures are “significant” (i.e., potentially “unacceptable”) consult a human health Risk Assessment specialist with appropriate education, training and experience.

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)

Page 5

5. Can the “significant” **exposures** (identified in #4) be shown to be within **acceptable** limits?

_____ If yes (all “significant” exposures have been shown to be within acceptable limits) - continue and enter “YE” after summarizing and referencing documentation justifying why all “significant” exposures to “contamination” are within acceptable limits (e.g., a site-specific Human Health Risk Assessment).

_____ If no (there are current exposures that can be reasonably expected to be “unacceptable”)- continue and enter “NO” status code after providing a description of each potentially “unacceptable” exposure.

_____ If unknown (for any potentially “unacceptable” exposure) - continue and enter “IN” status code

Rationale and Reference(s): _____

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)

Page 6

6. Check the appropriate RCRIS status codes for the Current Human Exposures Under Control EI event code (CA725), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (and attach appropriate supporting documentation as well as a map of the facility):

☒ **YE** - Yes, "Current Human Exposures Under Control" has been verified. Based on a review of the information contained in this EI Determination, "Current Human Exposures" are expected to be "Under Control" at the **Hauer Custom Manufacturing, Inc. (Kiwi Brands, Inc.)** facility, EPA ID # **PAD 09 715 3399**, located at **Rte. 662 North, Douglassville, Pennsylvania, 19518** under current and reasonably expected conditions. This determination will be re-evaluated when the Agency/State becomes aware of significant changes at the facility.

☐ **NO** - "Current Human Exposures" are NOT "Under Control."

☐ **IN** - More information is needed to make a determination.

Completed by

(signature) LSI

Date: 12-16-99

(print) Hilary Livingston

(title) Remedial Project Manager

Supervisor

(signature) LSI

Date: 12-16-99

(print) Paul Gotthold

(title) PA Operations Branch Chief

(EPA Region or State) EPA, Region 3

Locations where References may be found:

U.S. EPA Region III
1650 Arch Street, 3WC22
Philadelphia, PA 19103 - 2029
Hours: Mon-Fri, 9:00 AM - 5:00 PM

Contact telephone and e-mail numbers:

(name) Paul Gotthold
(phone #) (215) 814-3410
(e-mail) gotthold.paul@epa.gov

FINAL NOTE: THE HUMAN EXPOSURES EI IS A QUALITATIVE SCREENING OF EXPOSURES AND THE DETERMINATIONS WITHIN THIS DOCUMENT SHOULD NOT BE USED AS THE SOLE BASIS FOR RESTRICTING THE SCOPE OF MORE DETAILED (E.G., SITE-SPECIFIC) ASSESSMENTS OF RISK.

DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

RCRA Corrective Action

Environmental Indicator (EI) RCRIS code (CA750)

Migration of Contaminated Groundwater Under Control

Facility Name: Hauer Custom Manufacturing, Inc. (Kiwi Brands, Inc.)
Facility Address: Route 662 North, Douglassville, Pennsylvania 19518
Facility EPA ID #: PAD 09 715 3399

1. Has **all** available relevant/significant information on known and reasonably suspected releases to the groundwater media, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been **considered** in this EI determination?

☒ If yes - check here and continue with #2 below.

☐ If no - re-evaluate existing data, or

☐ If data are not available, skip to #8 and enter "IN" (more information needed) status code.

BACKGROUND

Definition of Environmental Indicators (for the RCRA Corrective Action)

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Migration of Contaminated Groundwater Under Control" EI

A positive "Migration of Contaminated Groundwater Under Control" EI determination ("YE" status code) indicates that the migration of "contaminated" groundwater has stabilized, and that monitoring will be conducted to confirm that contaminated groundwater remains within the original "area of contaminated groundwater" (for all groundwater "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Migration of Contaminated Groundwater Under Control" EI pertains ONLY to the physical migration (i.e., further spread) of contaminated ground water and contaminants within groundwater (e.g., non-aqueous phase liquids or NAPLs). Achieving this EI does not substitute for achieving other stabilization or final remedy requirements and expectations associated with sources of contamination and the need to restore, wherever practicable, contaminated groundwater to be suitable for its designated current and future uses.

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)
Page 2

2. Is **groundwater** known or reasonably suspected to be "**contaminated**"¹ above appropriately protective "levels" (i.e., applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action, anywhere at, or from, the facility?

_____ If yes - continue after identifying key contaminants, citing appropriate "levels," and referencing supporting documentation.

X If no - skip to #8 and enter "YE" status code, after citing appropriate "levels," and referencing supporting documentation to demonstrate that groundwater is not "contaminated."

_____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s):

The following four releases have occurred at the facility:

- 1) January 29, 1988 - 700 gallons of mineral spirits were released due to a faulty tank level indicator at an underground storage tank. Clean up operations were immediately undertaken, with the collection of any recoverable mineral spirits, the excavation of approximately 120 tons of contaminated soil and the installation of three recovery wells.
- 2) July 24, 1990 - 30-50 gallons of mineral spirits were released at this same underground storage tank area during unloading operations. Groundwater at the three wells in the spill area were purged and sampled for petroleum hydrocarbons, and found to be non-detect. A tank overfill protection system was installed in 1990 to prevent future spills, and the underground storage tank was later removed in 1993 under Pennsylvania Department of Environmental Protection (PADEP) oversight. Groundwater sampling, required under the PADEP underground storage tank removal program, found no detectable levels of contaminants in the groundwater.
- 3) September 6, 1988 - An unknown amount of a nonhazardous surfactant (Neodol 25-7) was accidentally released from a rooftop tank. The surfactant traveled from the rooftop to an on-site fire pond. PADEP investigated the spill and found that it had been remediated through biodegradation of the Neodol 25-7.
- 4) September 13, 1994 - 115 gallons of mineral spirits were released from a delivery tanker near the tank pumphouse. Immediate containment was accomplished, and contaminated soil and asphalt were excavated and sent off-site for disposal. The excavated area was then backfilled with clean soil.

Based on these spills and the clean up actions that were taken, there is no reason to believe that any media onsite is contaminated above appropriate risk-based levels. Reference: *Environmental Indicator Inspection Report* for Kiwi Brands Inc., dated December, 1, 1998.

Footnotes:

¹"Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriate "levels" (appropriate for the protection of the groundwater resource and its beneficial uses).

Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)

Page 3

3. Has the **migration** of contaminated groundwater **stabilized** (such that contaminated groundwater is expected to remain within "existing area of contaminated groundwater"² as defined by the monitoring locations designated at the time of this determination)?

_____ If yes - continue, after presenting or referencing the physical evidence (e.g., groundwater sampling/measurement/migration barrier data) and rationale why contaminated groundwater is expected to remain within the (horizontal or vertical) dimensions of the "existing area of groundwater contamination"².

_____ If no (contaminated groundwater is observed or expected to migrate beyond the designated locations defining the "existing area of groundwater contamination"²) - skip to #8 and enter "NO" status code, after providing an explanation.

_____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s): _____

² "existing area of contaminated groundwater" is an area (with horizontal and vertical dimensions) that has been verifiably demonstrated to contain all relevant groundwater contamination for this determination, and is defined by designated (monitoring) locations proximate to the outer perimeter of "contamination" that can and will be sampled/tested in the future to physically verify that all "contaminated" groundwater remains within this area, and that the further migration of "contaminated" groundwater is not occurring. Reasonable allowances in the proximity of the monitoring locations are permissible to incorporate formal remedy decisions (i.e., including public participation) allowing a limited area for natural attenuation.

**Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)**

Page 4

4. Does "contaminated" groundwater **discharge** into **surface water** bodies?

_____ If yes - continue after identifying potentially affected surface water bodies.

_____ If no - skip to #7 (and enter a "YE" status code in #8, if #7 = yes) after providing an explanation and/or referencing documentation supporting that groundwater "contamination" does not enter surface water bodies.

_____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s): _____

Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)

Page 5

5. Is the **discharge** of "contaminated" groundwater into surface water likely to be "**insignificant**" (i.e., the maximum concentration³ of each contaminant discharging into surface water is less than 10 times their appropriate groundwater "level," and there are no other conditions (e.g., the nature, and number, of discharging contaminants, or environmental setting), which significantly increase the potential for unacceptable impacts to surface water, sediments, or eco-systems at these concentrations)?

_____ If yes - skip to #7 (and enter "YE" status code in #8 if #7 = yes), after documenting: 1) the maximum known or reasonably suspected concentration³ of key contaminants discharged above their groundwater "level," the value of the appropriate "level(s)," and if there is evidence that the concentrations are increasing; and 2) provide a statement of professional judgement/explanation (or reference documentation) supporting that the discharge of groundwater contaminants into the surface water is not anticipated to have unacceptable impacts to the receiving surface water, sediments, or eco-system.

_____ If no - (the discharge of "contaminated" groundwater into surface water is potentially significant) - continue after documenting: 1) the maximum known or reasonably suspected concentration³ of each contaminant discharged above its groundwater "level," the value of the appropriate "level(s)," and if there is evidence that the concentrations are increasing; and 2) for any contaminants discharging into surface water in concentrations³ greater than 100 times their appropriate groundwater "levels," the estimated total amount (mass in kg/yr) of each of these contaminants that are being discharged (loaded) into the surface water body (at the time of the determination), and identify if there is evidence that the amount of discharging contaminants is increasing.

_____ If unknown - enter "IN" status code in #8.

Rationale and Reference(s): _____

³ As measured in groundwater prior to entry to the groundwater-surface water/sediment interaction (e.g., hyporheic) zone.

Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)

Page 6

6. Can the **discharge** of “contaminated” groundwater into surface water be shown to be “**currently acceptable**” (i.e., not cause impacts to surface water, sediments or eco-systems that should not be allowed to continue until a final remedy decision can be made and implemented⁴)?

_____ If yes - continue after either: 1) identifying the Final Remedy decision incorporating these conditions, or other site-specific criteria (developed for the protection of the site’s surface water, sediments, and eco-systems), and referencing supporting documentation demonstrating that these criteria are not exceeded by the discharging groundwater; OR 2) providing or referencing an interim-assessment,⁵ appropriate to the potential for impact, that shows the discharge of groundwater contaminants into the surface water is (in the opinion of a trained specialists, including ecologist) adequately protective of receiving surface water, sediments, and eco-systems, until such time when a full assessment and final remedy decision can be made. Factors which should be considered in the interim-assessment (where appropriate to help identify the impact associated with discharging groundwater) include: surface water body size, flow, use/classification/habitats and contaminant loading limits, other sources of surface water/sediment contamination, surface water and sediment sample results and comparisons to available and appropriate surface water and sediment “levels,” as well as any other factors, such as effects on ecological receptors (e.g., via bio-assays/benthic surveys or site-specific ecological Risk Assessments), that the overseeing regulatory agency would deem appropriate for making the EI determination.

_____ If no - (the discharge of “contaminated” groundwater can not be shown to be “**currently acceptable**”) - skip to #8 and enter “NO” status code, after documenting the currently unacceptable impacts to the surface water body, sediments, and/or eco-systems.

_____ If unknown - skip to 8 and enter “IN” status code.

Rationale and Reference(s): _____

⁴ Note, because areas of inflowing groundwater can be critical habitats (e.g., nurseries or thermal refugia) for many species, appropriate specialist (e.g., ecologist) should be included in management decisions that could eliminate these areas by significantly altering or reversing groundwater flow pathways near surface water bodies.

⁵ The understanding of the impacts of contaminated groundwater discharges into surface water bodies is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration to be reasonably certain that discharges are not causing currently unacceptable impacts to the surface waters, sediments or eco-systems.

Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)

Page 7

7. Will groundwater **monitoring** / measurement data (and surface water/sediment/ecological data, as necessary) be collected in the future to verify that contaminated groundwater has remained within the horizontal (or vertical, as necessary) dimensions of the "existing area of contaminated groundwater?"

_____ If yes - continue after providing or citing documentation for planned activities or future sampling/measurement events. Specifically identify the well/measurement locations which will be tested in the future to verify the expectation (identified in #3) that groundwater contamination will not be migrating horizontally (or vertically, as necessary) beyond the "existing area of groundwater contamination."

_____ If no - enter "NO" status code in #8.

_____ If unknown - enter "IN" status code in #8.

Rationale and Reference(s): _____

**Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)**

Page 8

8. Check the appropriate RCRIS status codes for the Migration of Contaminated Groundwater Under Control EI (event code CA750), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (attach appropriate supporting documentation as well as a map of the facility).

X YE - Yes, "Migration of Contaminated Groundwater Under Control" has been verified. Based on a review of the information contained in this EI determination, it has been determined that the "Migration of Contaminated Groundwater" is "Under Control" at the **Hauer Custom Manufacturing, Inc. (Kiwi Brands, Inc.)** facility, EPA ID # **PAD 09 715 3399**, located on **Route 662 North, Douglassville, Pennsylvania, 19518**. Specifically, this determination indicates that the migration of "contaminated" groundwater is under control, and that monitoring will be conducted to confirm that contaminated groundwater remains within the "existing area of contaminated groundwater" This determination will be re-evaluated when the Agency becomes aware of significant changes at the facility.

_____ NO - Unacceptable migration of contaminated groundwater is observed or expected.

_____ IN - More information is needed to make a determination.

Completed by

(signature)

HL

Date: 12-16-99

(print) Hilary Livingston

(title) Remedial Project Manager

Supervisor

(signature)

PG

Date: 12-16-99

(print) Paul Gotthold

(title) PA Operations Branch Chief

(EPA Region or State) EPA, Region 3

Locations where References may be found:

U.S. EPA Region III
1650 Arch Street, 3WC22
Philadelphia, PA 19103 - 2029
Hours: Mon-Fri, 9:00 AM - 5:00 PM

Contact telephone and e-mail numbers:

(name) Paul Gotthold
(phone #) (215) 814 -3410
(e-mail) gotthold.paul@epa.gov



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Mr. Mike Maiolie
PADEP
1005 Cross Roads Blvd.
Reading, PA 19605

May 21, 1999

Re: Kiwi Brands Inc. Administrative Record
PAD097153399

Dear Mr. Maiolie,

After a thorough site inspection of the Kiwi Brands Inc. facility, and an evaluation of past remediation practices, the Environmental Protection Agency (EPA) believes that no further corrective action is necessary at the Kiwi Brands Inc. site at this time.

Please find enclosed the Administrative Record for Kiwi Brands Inc. which contains all the information considered by EPA when making this proposal. As we discussed earlier, please make the Administrative Record available for public review at your office between May 25, 1999 and July 9, 1999.


EPA is requesting comments from the public on its proposal that no corrective action will be required at the Kiwi Brands Inc. facility at this time. Comments must be sent to EPA in writing at the following address:

U.S. EPA Region III
1650 Arch Street, 3WC22
Philadelphia, PA 19103-2029
Hours: Mon-Fri, 9:00 AM - 5:00 PM
Contact: Hilary Livingston
Voice: (215) 814-3449
Fax: (215) 814-3113
e-mail: livingston.hilary@epa.gov (ASCII text only)

Following the public comment period, EPA will prepare a final decision which will address all comments. This final decision will be incorporated into the Administrative Record. If the comments are such that significant changes are made to the tentative decision, a new proposal will be made available for public comment.

Your help in this matter is greatly appreciated. If you have any questions, please contact me at 215-814-3449.

Sincerely,



Hilary Livingston
Project Manager



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

MAY 7 1999

Dr. Michael V. Mellinger, Ph.D., REM
Environmental Affairs Manager
447 Old Swede Road
Douglassville, PA 19518-1239

RE: Kiwi Brands Inc., PAD097153399

Dear Dr. Mellinger:

As we discussed in our phone conversation May 4, 1999, enclosed please find the "Environmental Indicator Inspection Report" for the Kiwi Brands Inc. Facility. This report serves as the Administrative Record that will be made available for public review at the following locations:

U.S. EPA Region II
1650 Arch Street
Philadelphia, PA 19103-2029
Contact: Hilary Livingston
Voice: (215) 814-3449
Fax: (215) 814-3113
E-mail: livingston.hilary@epa.gov

PADEP
1005 Cross Roads Blvd.
Reading, PA 19605
Contact: Mike Maiolie
Phone: (610) 916-0100
Fax: (610) 916-0110

The "Statement of Basis" and the "Public Notice" for the Kiwi Brands site will be forwarded to you within the next two weeks. The "Public Notice" is tentatively scheduled for newspaper release on May 18, 1999.

Thank you for your cooperation in this matter, your patience is greatly appreciated. If you have any further questions, please do not hesitate to contact me at (215)-814-3449.

Sincerely,

A handwritten signature in cursive script that reads "Hilary Livingston".

Hilary Livingston, Project Manager
Pennsylvania Operations Branch



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Dr. Michael Mellinger
Environmental Affairs Manager
447 Old Swede Road
Douglassville, PA 19518-1239

RE: Agency Determination, Kiwi Brands Inc. (PAD 097153399)

Dear Dr. Mellinger:

This letter is to inform you of the decision by the United States Environmental Protection Agency (EPA) concerning corrective action at the Kiwi Brands Inc. Facility in Douglassville, Pennsylvania. Representatives from EPA and the Pennsylvania Department of Environmental Protection (PADEP) visited this Facility and evaluated the available information. Both agencies agree that there have been no releases of hazardous waste or hazardous constituents at this Facility which currently need remediation under the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA). Based on this information, there is no need for HSWA corrective action permit conditions at this time.

On July 9, 1999, EPA completed the public comment period for this Kiwi Brands Inc. Facility. EPA did not receive any comments on its proposal that no corrective action is necessary under HSWA. Therefore, EPA has adopted the proposed decision as the final decision.

Even though corrective action is not necessary at this time, Kiwi Brands, Inc. remains responsible for complying with the self implementing HSWA regulations.

If you have any questions, please contact Hilary Livingston at (215) 814-3449.

Sincerely,

Maria Parisi Vickers
Associate Division Director for RCRA
Waste and Chemical Management Division

cc: Mike Maiolie (PADEP)

CONCURRENCES							
SYMBOL	▶	H.L.					
SURNAME	▶	Livingston	Gottchold				
DATE	▶	07/16/99					

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

AGENCY DETERMINATION

UNDER THE
RESOURCE CONSERVATION AND RECOVERY ACT
AS AMENDED BY THE HAZARDOUS AND SOLID WASTE
AMENDMENTS OF 1984

Issued to: Kiwi Brands Inc., Douglassville, PA Facility

ID Number: PAD 097 153 399

Facility: Route 662 North, Douglassville, PA, 19518

This Agency Determination is issued by the United States Environmental Protection Agency (EPA) under the authority of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. § 6901 et seq., and EPA regulations at 40 C.F.R. Parts 260-271 and Part 124, to Kiwi Brands Inc. Facility in Douglassville, PA, at latitude 40° 15' 28" North and longitude 75° 43' 35" West (the Facility). EPA has determined that no further corrective action is necessary at this time.

Although Kiwi Brands Inc. does not require a permit from either the Pennsylvania Department of Environmental Protection (PADEP), or the EPA, EPA used the administrative procedures found in 40 CFR Part 270, to provide public notice and solicit comment on EPA's draft determination. The public notice period ended on July 9, 1999. EPA did not receive any comments on its draft determination, therefore EPA has adopted the draft determination as the final determination.

This determination completes the corrective action process under HSWA, at this time. The Facility must continue to comply with all applicable parts of RCRA.

Date Signed

Maria Parisi Vickers,
Associate Division Director for RCRA
Waste and Chemical Management Division

CONCURRENCES

SYMBOL	▶	NR						
SURNAME	▶	Livingston	Gottbold					
DATE	▶	07/16/99						

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS - PART A

Date of Inspection 6-12-97 Time start _____ Time finish _____
 Name of Inspector Susan M. Werner
 Company, installation name Kiwi Brands Inc.
 Location 447 Old Swede Road
 County Berks Municipality Amity Twp
 Identification number PAD 097153399
 Name of responsible official Mike Mellinger ~~Environmental Affairs Manager~~
 Title Environmental Affairs Manager
 Mailing Address 447 Old Swede Road Douglassville PA 19518-1239
 Area code and telephone number 610 385 3041
 Name of person interviewed Mike Mellinger
 Title Environmental Affairs Manager
 Mailing address (if different from above) Same
 Area code and telephone number Same

1. Current waste handling method:

- a. ☐ On-site ☐ treatment, ☐ storage, ☐ disposal ☐ PBR
 b. ☐ On-site ☐ use, ☐ reuse, ☐ recycle, ☐ reclaim
 c. ☒ Off-site ☐ treatment, ☐ storage, ☒ disposal
 d. ☐ Off-site ☐ use, ☐ reuse, ☐ recycle, ☐ reclaim

2. Amount of hazardous waste produced:

- a. 5139.9 kg./mo.
 b. 61643.4 kg./yr.

3. Types of hazardous waste produced by Hazardous Waste Number and destination facility (include location and type).

Waste Number	Destination Facility	Location and Type
0001, 0006, 0007, 0018 0029, 0022, F002 F003 F005 U226	ENSCO GAD 000222083	Dalton, GA Disposal, Blending

4. Source Reduction: ☒ accomplished, ☒ proposed, ☐ not proposed

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS - PART B

Site Name Kiwi Brands Inc. ID Number PAD 097 153399 Date 06-12-97

Hazardous Waste Inspection Report
Generators - Part B

1-No Violation Observed 2-Not-Applicable 3-Not-Determined 4-Non-Compliance

STATUS				REQUIREMENT	CHAPTER CITATION	LINE ITEM
1	2	3	4			
1				Hazardous waste determination, performed on all waste streams	262.11	H001
1				Identification number	262.12	H002
1				Hazardous waste shipments offered only to licensed transporters	262.12(d)	H003
	2			Authorization received from TSD facility for wastes shipped off-site within PA	262.13	H004
	2			PA manifest used for intrastate shipments	262.20(b)	H005
1				TSD state manifest or PA manifest used for out-of-state shipments	262.20(c)	H006
1				Manifests filled out properly and completely	262.20(g)	H007
1				Manifests routed properly and within time limits (7 days)	262.23(e)(f)	H008
		3		Proper U.S. DOT shipping containers or packages being used	262.30(1)	H009
		3		Shipping containers marked and labeled according according to U.S. DOT	262.30(2)	H010
1				Containers of 110 gal. or less permanently marked with required hazardous waste label	262.30(3)	H011
1				Placards offered to transporter	262.33	H012
1				Waste in containers or tanks accumulated on-site for less than 90 days	262.34(a)(1)	H013
1				Wastes placed in containers properly marked and labeled or in tanks meeting requirements of Chapter 265, Subchapter J	262.34(a)(2)	H014
1				Containers managed in accordance with Chapter 265, Subchapter I (any non-compliance for Subchapter I requirements is a violation of 262.34(a)(3))	262.34(a)(3)	H015
1				a). All containers of haz. waste in good condition	265.171	H016
1				b). Containers compatible with hazardous waste being stored within	265.172	H017
1				c). Containers of hazardous waste kept closed	265.173(a)	H018
1				d). Containers of hazardous waste are managed to prevent leaks	265.173(b)	H019
1				e). Containers of hazardous waste labelled to accurately identify contents	265.173(c)	H020
1				f). Haz. waste accumulation areas inspected at least weekly	265.174	H021
1				g). Special requirements for ignitable, reactive and incompatible waste being met	265.176 - .177	H022
1				h). Proper containment and collection system(s)	265.178	H023
1				Containers clearly marked with accumulation date and visible for inspection	262.34(a)(4)	H024
1				On the job or classroom personnel training program as per 265.16	262.34(a)(5)	H025

Hazardous Waste Inspection Report

Generators - Part B

1-No Violation Observed 2-Not-Applicable 3-Not-Determined 4-Non-Compliance

STATUS				REQUIREMENT	CHAPTER CITATION	LINE ITEM
1	2	3	4			
1				Records retained at designated location for 20 years	262.40(a)	H026
	2			Quarterly reports submitted to the Department	262.41(a)	H027
1				Exception reporting procedures followed	262.42	H028
	2			Hazardous waste disposal plan, if required	262.45	H029
1				Spill reporting procedures followed	262.46(a)	H030
1				Preparedness, Prevention and Contingency Plan developed and implemented in accordance with Chapters 264 and 265	262.46(e)	H031
	2			Special requirements followed for international shipments	262.50, .53, .55, .60	H032
1				Source reduction strategy prepared and available	262.80	H033

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of Inspection: June 12, 1997

Identification Number: PAD097153399

Company/Facility/Site Name: Kiwi Brands, Inc.

I arrived on-site and met with Mr. Mike Mellinger. We proceeded on an inspection of the hazardous and residual waste generation and storage areas.

38 drums of hazardous waste and 29 drums of residual waste were observed in the main drum storage area. This area has been upgraded since the last inspection. During the last inspection, cracks were observed in the floor near the drums. Since then, the cracks have been filled and the floor painted with a sealant. Steel sealed curbing has been installed all around the storage area with soft dikes at the access points for tow motors to get in and out.

All the drums in the storage area were properly labelled and all labels were visible for inspection.

There were 8 drums of hazardous waste in the aerosol waste storage area. These drums were also properly labelled and visible.

The facility has three pits behind the building which are used to evaporate liquid waste from the production lines. This waste is non-hazardous and the sludge is removed to ENSCO in GA.

The facility also has a compactor dumpster for the plant trash. This dumpster is taken to Pottstown Landfill as a residual waste.

The facility is now placing all hazardous wastes into drums which are painted black with a white stripe around the middle. This is so these drums can be easily identified.

3 full drums of flammable waste were observed in the flammables room and 1 partial drum being filled. All the drums were closed and properly labelled.

After completing the inspection of the facility, we returned to the office to review the records.

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the Chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

This inspection report is official notification that a representative of the Department of Environmental Protection, Waste Management Program, inspected the above installation. The findings of this inspection are shown in this report. This inspection report shall serve a formal notification of any violations which were observed during the inspection. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Additional notification may be forthcoming, concerning any violations indicated herein and listing any additional violations.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed (Signature)

Michael V. Mellinger

Date

6-19-97

Inspector (Signature)

Susan M. Kerner

Date

6-19-97

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of Inspection: June 12, 1997
Company/Facility/Site Name: Kiwi Brands, Inc.
Hazardous Waste Biennial Report

Identification Number: PAD097153399

The 1996 Biennial Report contains information about wastes generated in 1995. During 1995, the facility generated 136232 pounds of hazardous waste or 61643.4 kilograms. This works out to 5136.9 kilograms per month making the facility a large quantity generator.

Storage Area Inspection Logs

The storage areas are inspected on a daily basis and the log is filled out once a week. These logs were reviewed for the period of January 1997 to present.

Preparedness, Prevention, and Contingency Plan

This plan was updated on January of 1997 and includes all personnel changes.

Source Reduction Strategies

The SRS were written in 1992 and 1994. The facility is planning to update them after July 1, 1997.

Manifests

Manifests were reviewed for the period of January 1997 to present. During this period all waste shipped where taken to ENSCO in GA.

Employee Training

Employee training was conducted in December of 1996 and is planned again in December of 1997. All employees who handle hazardous wastes were trained.

In the "Requirement" Section of this inspection report, each listed inspection item may provide only a brief version of its corresponding obligation as described in the body of the regulations. Please use the Chapter citations listed on this inspection report as a reference to obtain a detailed description of compliance requirements.

This inspection report is official notification that a representative of the Department of Environmental Protection, Waste Management Program, inspected the above installation. The findings of this inspection are shown in this report. This inspection report shall serve a formal notification of any violations which were observed during the inspection. Violations may also be discovered upon examination of the results of laboratory analyses and review of Department records. Additional notification may be forthcoming, concerning any violations indicated herein and listing any additional violations.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person Interviewed (Signature) _____

Date _____

Inspector (Signature) _____

Date _____



Pennsylvania Department of Environmental Protection

1005 Cross Roads Boulevard

Reading, PA 19605-9778

June 25, 1997

Reading District Office

610-916-0100

FAX: 610-916-0110

Amity Township
2004 Weavertown Road
Douglassville, PA 19518

Re: Hazardous Waste Inspection
Kiwi Brands, Inc.
PAD 097153399
Amity Township, Berks County

Ladies and Gentlemen:

I am enclosing copies of the inspection report for a hazardous waste generator inspection at Kiwi Brands, Inc. which was conducted on June 12, 1997. This is in reference to requests by municipalities to be notified of Department of Environmental Protection's activities within the municipality and what the Department has discovered.

If you have any questions regarding the inspection results, please feel free to contact me at the above number.

Sincerely,

Susan M. Werner
Waste Management Specialist
Waste Management Program

Enclosures

cc: Southcentral Regional File

ORDER FOR SUPPLIES OR SERVICES

PAGE OF PAGES

1 1

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

1. DATE OF ORDER 5/11/99	2. CONTRACT NO. (If any) N/A N/A	3. ORDER NO. 99-9091-NASA	4. REQUISITION/REFERENCE NO.
-----------------------------	-------------------------------------	------------------------------	------------------------------

5. ISSUING OFFICE (Address correspondence to) ENVIRONMENTAL PROTECTION AGENCY (3WC11) REGION III, 1650 ARCH STREET PHILADELPHIA, PA 19103-2029	6. SHIP TO: (CONSIGNEE AND ADDRESS, ZIP CODE) ENVIRONMENTAL PROTECTION AGENCY REGION III, 1650 ARCH STREET PHILADELPHIA, PA 19103-2029 ATTN: 3PM31
---	--

7. TO: CONTRACTOR (Name, address and ZIP code) Mercury 24 N Hanover St. Pottstown, PA 19464 Attn: Mary Ann	8. TYPE OF ORDER <input checked="" type="checkbox"/> A. PURCHASE-Reference your Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheets. If any, including delivery as indicated. This purchase is negotiated under authority of: <input type="checkbox"/> B. Delivery - Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.
--	---

9. ACCOUNTING AND APPROPRIATION DATA 99 00 B03P00PA A0303G 2415 JE0001	10. REQUISITIONING OFFICE Hilary Livingston (215) 814-3449 (3WC22)
11. BUSINESS CLASSIFICATION (Check appropriate box(es)) OTHER THAN <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> SMALL <input type="checkbox"/> TAGED <input type="checkbox"/> WOMEN-OWNED	12. F.O.B. POINT DESTINATION 13. PLACE OF INSPECTION AND ACCEPTANCE Philadelphia, PA
14. GOVERNMENT b1 NO. N/A	15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) Next available date
16. DISCOUNT TERMS Net 30	

17 SCHEDULE (See reverse for Rejections)

ITEM NO. (A)	SUPPLIES OR SERVICES (B)	QUANTITY ORDERED (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)	QUANTITY ACCEPTED (G)
	<p>The Contractor shall furnish the necessary personnel, material and services, except as otherwise specified, to perform the services for paid advertising as specified herein as Attachment I.</p> <p>NOTICE TO SUPPLIER</p> <p>This is a firm order ONLY if your price does not exceed the maximum line or total price in the Schedule. Submit invoices to the Contracting Officer if you cannot perform in exact accordance with this order, WITHHOLD PERFORMANCE and notify the Contracting Officer immediately giving your quotation.</p> <p>PLEASE REFERENCE NAME OF AD AND ORDER NUMBER ON INVOICE</p>				<p>Not to exceed</p> <p>\$ 300.00</p>	
	18. SHIPPING POINT	19. GROSS SHIPPING WEIGHT	20. INVOICE NO.		\$ 300.00	17(H). TOT
	21. MAIL INVOICE TO: (Include ZIP Code) USEPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029 ATTN: Finance (3PM31)				NOT TO EXCEED \$ 300.00	17(I). GRAND TOTAL

22. UNITED STATES OF AMERICA BY (Signature) 	23. NAME (Typed) DENISE JONES TITLE: CONTRACTING/ORDERING OFFICER
--	---

NSN 7540-01-152-8083

OPTIONAL FORM 347 (10-83)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

AGENCY DETERMINATION

UNDER THE
RESOURCE CONSERVATION AND RECOVERY ACT
AS AMENDED BY THE HAZARDOUS AND SOLID WASTE
AMENDMENTS OF 1984

Issued to: Kiwi Brands Inc., Douglassville, PA Facility

ID Number: PAD 097 153 399

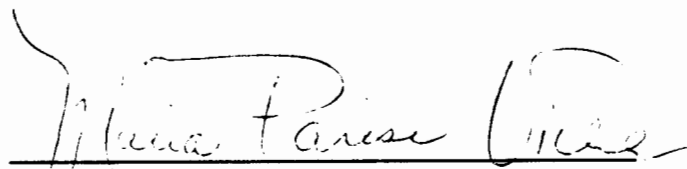
Facility: Route 662 North, Douglassville, PA, 19518

This Agency Determination is issued by the United States Environmental Protection Agency (EPA) under the authority of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. § 6901 et seq., and EPA regulations at 40 C.F.R. Parts 260-271 and Part 124, to Kiwi Brands Inc. Facility in Douglassville, PA, at latitude 40° 15' 28" North and longitude 75° 43' 35" West (the Facility). EPA has determined that no further corrective action is necessary at this time.

Although Kiwi Brands Inc. does not require a permit from either the Pennsylvania Department of Environmental Protection (PADEP), or the EPA, EPA used the administrative procedures found in 40 CFR Part 270, to provide public notice and solicit comment on EPA's draft determination. The public notice period ended on July 9, 1999. EPA did not receive any comments on its draft determination, therefore EPA has adopted the draft determination as the final determination.

This determination completes the corrective action process under HSWA, at this time. The Facility must continue to comply with all applicable parts of RCRA.

July 19, 1999
Date Signed


Maria Parisi Vickers,
Associate Division Director for RCRA
Waste and Chemical Management Division

NOTICE OF INTENT TO ISSUE A FINAL DECISION UNDER
THE RESOURCE CONSERVATION AND RECOVERY ACT
AND THE HAZARDOUS AND SOLID WASTE AMENDMENTS OF 1984
AND OPPORTUNITY FOR A PUBLIC HEARING

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
PENNSYLVANIA OPERATIONS BRANCH - REGION III
1650 ARCH STREET
PHILADELPHIA, PA 19103

DATE OF THIS NOTICE: May 8, 1999

The United States Environmental Protection Agency (US EPA) has made a preliminary decision that no further corrective action is necessary for the Kiwi Brands Inc. site in Douglassville, PA (PAD 097 153 399), under the Hazardous and Solid Waste Amendments of 1984 (HSWA) provisions of the Resource Conservation and Recovery Act.

FACILITY DESCRIPTION

Kiwi Brands Inc. manufactures a variety of shoe care and toilet bowl products. Primarily, the hazardous waste generated by the Facility includes various forms of waste shoe polish, bleach toilet bowl tablets, cleaning solvents, and aerosol containers. This waste is stored at the facility for under ninety days before being shipped off-site for disposal. The Kiwi Brands Inc. site (Facility), is located on Route 662, Douglassville Township, Berks County, Pennsylvania. Since operation began at this Facility in 1980, when Kiwi Brands Inc. moved to its present location from Pottstown, Pennsylvania, there have been three separate releases to the environment, two occurring in 1988, and one in 1990. Kiwi undertook cleanup operations immediately, and the appropriate remediation steps were successful..

EPA TENTATIVE DECISION

Based on an evaluation of the existing records, and an EPA site inspection, EPA has determined that there have been no past or current releases that warrant further investigation or corrective action at this Facility.

A more complete explanation of the conditions at Kiwi Brands Inc. can be found in the Administrative Record. See below for access information.

PUBLIC PARTICIPATION

The Administrative Record contains all the information gathered and considered when making this proposal for no further corrective action. The Administrative Record is available at the following locations:

U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Hours: Mon-Fri, 9:00 AM - 5:00 PM
Contact: Hilary Livingston, 3WC22
Voice: (215) 814-3449
Fax: (215) 814-3113
E-mail: livingston.hilary@epamail.epa.gov

PADEP
1005 Cross Roads Blvd.
Reading, PA 19605
Hours: Mon-Fri, 8:00 AM - 4:00 PM
Contact: Mike Mailoie
(610)-916-0100

Persons wishing to comment on EPA's tentative determination that no further corrective action is necessary at this Facility should submit their comments in writing via mail, fax, or e-mail to the EPA, Attention: Hilary Livingston 3WC22, at the above address. Such comments must be received within the 45 day period ending June 22, 1999.

All persons, including Kiwi Brands Inc., who believe that the tentative decision is inappropriate, must raise all issues and submit all arguments and factual grounds supporting their position by close of business on June 22, 1999. All comments will be considered in making a final decision.

As provided for in RCRA, any person may request a public hearing on this tentative permit decision. This request must be made to EPA, Attention: Hilary Livingston 3WC22, at the above address and must be received prior to June 22, 1999.

FINAL DECISION

After consideration of all comments received, and consistent with the requirements of RCRA and applicable regulations, EPA will make a final decision. If the decision is substantially unchanged from the tentative decision announced in this notice, EPA will issue the decision as final and inform Kiwi Brands Inc. and all persons who submitted written comments or requested notice of final determination. If the decision is significantly different from that proposed, EPA will issue a public notice explaining the new decision and will reopen the comment period.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

Inspection Date 7/11/00
Time Start 9:15 AM
Time Finish _____

HAZARDOUS WASTE INSPECTION REPORT

☒ GENERATOR☐ S Q GENERATOR

Company name Haver Custom Manufacturing I.D. Number PAD097153399
Site Address 447 Old Swede Road, Douglassville
County Berks Municipality Amity Township Zip 19518-1239
Name of Inspector Jeanne Weil
Name & Title of Responsible Official John Hughes, Director of Mfg.
Person Interviewed Kenneth Fishman Telephone (610) 385-9500
Mailing Address (if different from above) _____
Amount of Hazardous Waste Generated per Month: ~ 2,134.5 Pounds _____ Kgs

1. Site Characterization:

STORAGE: ☒ Container ☐ Tanks ☐ Containment Bldg. ☐ Drip Pad Other _____PBR: ☐ Neutralization/WWTP ☐ Reclaim Other _____GENERATOR TREATMENT ☐ Containers ☐ Tanks ☐ Containment Bldg. ☐ Drip Pad2. Universal Waste: ☐ Large Quantity Handler ☐ Small Quantity Handler

Universal Waste Types _____

3. Hazardous Waste Transporters:

Transporter Name Republic Environmental Inc. License Number PA-AH0317

Transporter Name _____ License Number _____

Transporter Name _____ License Number _____

4. Types of hazardous waste generated and destination facility (location & type).

Waste Code	Waste Description	Destination Facility
D001	Waste Combustible Material (mineral spirits)	Petro-Chem Processing Detroit, MI
D001	Waste Flammable Material (mineral spirits)	Chemical Pollution Center NY
D001	Oxidizing Substances	Republic Environmental Services
D001	Waste Aerosols	"
D001	Waste Flammable Liquids	"
D001	Waste Combustible Liquids	"

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

HAZARDOUS WASTE INSPECTION REPORT GENERATORS -- SMALL QUANTITY GENERATORS

Site Name Haver Custom Mfg ID Number PAD097153399 Date 7/11/00
1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA Code	FED. CIT. 40 CFR	LINE NO.
X				Hazardous waste determination performed on all waste streams	262a.10	262.11	H001
X				Identification Number	262a.10	262.12	H002
X				Authorized transporters only	262a.10	262.12(c)	H003
X				Subsequent notification requirements met	262a.12(b)		H004
X				Proper manifest used	262a.10	262.21	H005
X				Manifests filled out correctly and completely	262a.20		H006
X				Manifests signed and routed properly	262a.23(a)	262.23	H007
X				Generator waste accumulated on site for 90 days or less	262a.10	262.34(a)	H008
	X			SQG waste accumulated on site for 180 days max unless 200 mile distance rule applies - 270 days	262a.10	262.34(e)(f)	H009
	X			SQG waste accumulated on-site never exceeds 6000 kg	262a.10	262.34(e)(f)	H010
X				Satellite accumulation requirements complied with	262a.10	262.34(c)	H011
X				Personnel training program per 265.16 complied with	262a.10	262.34(a)(4) 262.34(d)	H012
X				Manifest exception and biennial reports retained for 3 years	262a.10	262.40(a)(b)	H013
X				Specified records retained for three years	262a.10	262.40(c)	H014
X				Biennial reports submitted to the Department (LQG only)	262a.41	262.41	H015
X				Exception reporting procedures followed	262a.42	262.42	H016
X				Spill reporting procedures followed	262a.10	262.34(d)	H017
X				PPC plan developed and implemented	262a.10	262.34(a)	H018
X				Special requirements followed for international shipments	262a.10	262.50 262.60	H019
X				Source reduction strategy prepared and available (LQG only)	262a.100		H020
X				Excluded waste complies with exclusionary requirements	261a.4	261.4	H021

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

**HAZARDOUS WASTE INSPECTION REPORT
GENERATORS -- SMALL QUANTITY GENERATORS
FACILITY SPECIFICS**

Site Name Haver Custom Mfg ID Number PA0097153399 Date 7/11/00

1 - No Violation Observed 2 - Not Applicable 3 - Not Determined 4 - Non Compliance

STATUS

1	2	3	4	REQUIREMENT	PA CIT. 25 PA Code	FED CIT. 40 CFR	LINE NO.
				CONTAINERS (Subchapter I)			
X				Containers managed in compliance with 40 CFR Part 265 Subpart I and 25 PA Code Chapter 265a Subchapter I	262a.10	262.34	H025
X				Containers of hazardous waste in good condition	265a.1	265.171	H026
X				Containers and stored waste compatible	265a.1	265.172	H027
X				Containers kept closed except during addition or removal of wastes	265a.1	265.173(a)	H028
X				Containers managed to prevent leaks	265a.1	265.173(b)	H029
X				Container configuration and spacing insures safe management and access for inspection purposes and emergency equipment	265a.173		H030
X				Container storage areas inspected at least weekly	265a.1	265.174	H031
X				Special requirements for ignitable or reactive and incompatible waste complied with	265a.1	265.176-177	H032
X				Proper containment and collection systems in place	265a.179		H033
X				Air emission standards complied with (AA, BB, CC)	265a.1	265.178	H034
X				Containers clearly marked with accumulation date and visible for inspection	262a.10	262.34(a)(2)	H035
X				Containers labeled "Hazardous Waste"	262a.10	262.34(a)(3)	H036
X				Containers labeled accurately identify contents	SWMA 6018.403(b) (2)		H037

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

INSPECTION REPORT - RESIDUAL WASTE GENERATOR

Generator I.D. # PA00971153399 Telephone # (610) 385-9500
Site Name Haver Custom Manufacturing, Inc. Operator Name _____
Site Address 447 Old Swede Road Address _____
Douglassville PA 19518-1239
Municipality Amity Township County Berks
Responsible Official John Hughes Title Dir. of Manufacturing
Person Interviewed Kenneth Fishman Title Sup Technical Services
Inspector Jeanne Well Time 9:15 AM

Inspection Date 07/11/00 Inspection Type 01 Inspector I.D. # 2313 # Violation 0

INSPECTION TYPE

01 Routine	04 Follow Up	07 Complaint
02 Spill Response	05 Sampling Only	08 Record Rev
03 Remedial Action	06 Ground Water	09 Other

Comment _____

Waste Description: Used Oil Waste Code: _____

Treatment ☐ Yes ☐ No Type _____

Type of Storage: _____ Containers _____ Tanks _____ Piles _____ Impoundments

Disposition: Destination Facility _____

Location _____ Type _____

Amount Generated: _____ lb./mo.

Waste Description: WNTS Sludge Waste Code: _____

Treatment ☒ Yes ☐ No Type evaporation

Type of Storage: _____ Containers ☒ Tanks _____ Piles _____ Impoundments

Disposition: Destination Facility _____

Location _____ Type _____

Amount Generated: _____ lb./mo.

Waste Description: WNTS Liquid Waste Code: _____

Treatment ☒ Yes ☐ No Type evaporation

Type of Storage: _____ Containers ☒ Tanks _____ Piles _____ Impoundments

Disposition: Destination Facility _____

Location _____ Type _____

Amount Generated: _____ lb./mo.

INSPECTION REPORT - RESIDUAL WASTE GENERATOR

Generator Name Haver Custom Mfg. Generator I.D. # PA 0097153399

Waste Description: Waste Air Filters Waste Code: _____
Treatment ☐ Yes ☐ No Type _____
Type of Storage: ☐ Containers ☐ Tanks ☐ Piles ☐ Impoundments
Disposition: Destination Facility _____
Location _____ Type _____
Amount Generated: _____ lb./mo.

Waste Description: Compactor Trash Waste Code: _____
Treatment ☐ Yes ☒ No Type _____
Type of Storage: ☒ Containers ☐ Tanks ☐ Piles ☐ Impoundments
Disposition: Destination Facility Pottstown Landfill
Location Pottstown, PA Type Landfill
Amount Generated: _____ lb./mo.

Waste Description: Waste Adhesive Waste Code: _____
Treatment ☐ Yes ☐ No Type _____
Type of Storage: ☐ Containers ☐ Tanks ☐ Piles ☐ Impoundments
Disposition: Destination Facility _____
Location _____ Type _____
Amount Generated: _____ lb./mo.

Waste Description: Waste non-haz liquids / process solids Waste Code: _____
Treatment ☐ Yes ☐ No Type _____
Type of Storage: ☐ Containers ☐ Tanks ☐ Piles ☐ Impoundments
Disposition: Destination Facility _____
Location _____ Type _____
Amount Generated: _____ lb./mo.

Waste Description: Off-spec materials Waste Code: _____
Treatment ☐ Yes ☐ No Type _____
Type of Storage: ☐ Containers ☐ Tanks ☐ Piles ☐ Impoundments
Disposition: Destination Facility _____
Location _____ Type _____
Amount Generated: _____ lb./mo.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

Generator Name

Date

Haver Custom Mfg

7/11/00

INSPECTION REPORT - RESIDUAL WASTE GENERATOR

1 = No Violation Observed

2 = Not Applicable

3 = Not Determined

4 = Non-Compliance

Chapter Citation	Requirement	Status				Line Number
		1	2	3	4	
25 Pa Code	GENERAL PROVISIONS					
287.6	Designated facility: valid permit? Permit Number (PA) _____	X				3001
287.52(a)	Biennial report submitted by March 1 of each odd numbered year.	X				3002
287.53	Written source reduction strategy on file and in effect.	X				3003
287.53(b)	Waste reduction strategy covers all waste streams.			X		3004
287.53(c)	Reduction strategy updated every five years or when waste or manufacturing process changes.			X		3005
287.54	Waste analysis performed: copy on file.	X				3006
287.54(b, f)	Annual analysis or certification of waste submitted to Department and designated facility.	X				3007
287.55	Small quantity generator record keeping requirements.		X			3008
287.101(a)	Operation of disposal or processing facility without a permit.	X				3009
	STORAGE REQUIREMENTS					
299.111(1)	Residual waste not mixed with hazardous waste.	X				3010
299.111(2)	Waste stored as not to create a safety risk.	X				3011
299.111(3)	Residual waste not mixed with special handling waste.	X				3012
299.111(4)	Waste not blown or otherwise deposited outside storage area.	X				3013
299.112(c)	Storage area inspected; records available.	X				3014
299.113(a)	All waste stored less than one year.	X				3015
299.114(a)	Equipment maintained in operable condition.	X				3016
299.114(c)	Equipment cleaning frequencies maintained.	X				3017
299.115	Vectors controlled and public nuisances prevented.	X				3018
299.116(a)(b)	Run on, runoff minimized; storage areas managed in accordance with Clean Streams Law.	X				3019
299.116(c)	Waste stored to prevent groundwater degradation.	X				3020
299.121	Sufficient number of properly constructed storage containers.	X				3021
299.122	Storage tank design standards.			X		3022
299.112(d), 299.131(b)	No putrescible waste or liquid waste stored in piles.		X			3023
299.131	Waste storage pile area properly designed, constructed and maintained.		X			3024
299.132	Storage pad or liner system properly designed and maintained.		X			3025
299.133	Proper design and maintenance of leachate and runoff control systems.		X			3026
299.151	Proper storage and containment of incinerator ash residue.		X			3027
299.152	Proper storage and containment of friable asbestos containing waste.		X			3028
299.153	Proper storage and containment of coal ash.		X			3029
299.154	Proper storage and containment of PCB containing waste material.		X			3030

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of inspection July 11, 2000Identification Number PAD097153399Company/Facility/Site Name Hauer Custom Manufacturing Inc.

A hazardous and residual waste generator inspection was conducted by Jeanne Weil and Rebecca Bortner from the Department. Kenneth Fishman was present for the facility.

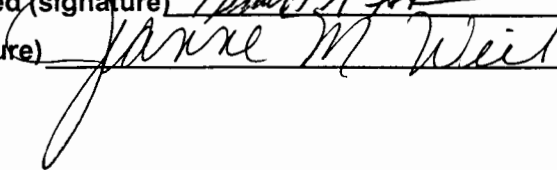
The following observations were made:

1. Hauer Custom Manufacturing is the former Kiwi Brands. Hauer continues to manufacture products for Kiwi, mainly shoe polish and Tydbol products. Other products are fabric dyes and dye remover. The facility also serves as a warehouse and distribution center for other Kiwi/Sara Lee products.
2. In addition to the products mentioned above, Hauer manufactures plastic containers for the products. Tin paste cans and glass jars are manufactured elsewhere.
3. Off-specification products and dust accumulated in the collection systems are reused in product manufacturing as much as possible.
4. Hauer is a large quantity generator of hazardous and residual waste. The facility uses a waste drum tracking system and has a waste handling manual that lists standard operating procedures for drum management.
5. Several waste collection/staging areas are located within the plant for the accumulation of wastes. The waste bleach, aerosol can, and returned item areas were inspected. Each area was labeled, however, the labels on the containers were sometimes incomplete.
6. The flammable storage area was inspected. Three drums of hazardous waste were stored in this area. All containers were properly labeled and closed.
7. The waste row storage area, where hazardous and residual waste drums are stored, was inspected. There were five drums of hazardous waste present. The area has containment and can be locked to prevent unauthorized access. All drums were in good condition.
8. Cardboard, office paper, glass, and tin are recycled. Pallets are reused until unusable.
9. Spill equipment carts are located throughout the plant. The facility also has a haz-mat response team.
10. Residual wastewater is collected in pits located at the rear of the facility. Steam in pipes is used to evaporate water leaving a concentrated sludge waste. The sludge is pumped out and taken off-site for disposal. The treatment system is equipped with an overflow tank and high-level alarm. The area is inspected regularly.

This inspection report is notice of the findings of an inspection conducted by a representative of the Department. This report is formal notification of any violations observed during the inspection. Additional notification of violations may be issued concerning either violations noted herein, or other violations identified as a result of review of laboratory analyses or Department records.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person interviewed (signature) Date 7/19/00Inspector (signature) Date 7/19/00Page 7 of 8

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF LAND RECYCLING AND WASTE MANAGEMENT

INSPECTION REPORT COMMENTS

Date of inspection July 11, 2000Identification Number PAD097153399Company/Facility/Site Name Hauer Custom Manufacturing Inc.

11. The following records were reviewed: manifests, PPC Plan, source reduction strategy, hazardous waste biennial report for 1999 and inspection logs. The PPC Plan was updated December 1999. All manifests were complete. The source reduction strategy was in a stage of development.

Recommendations:

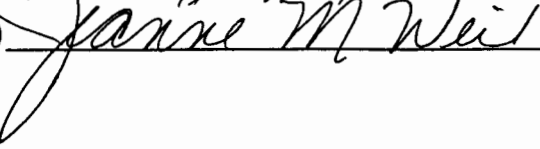
1. The labeling of waste containers in the staging areas should be improved. All containers should clearly identify the waste and state "hazardous waste" if applicable. All hazardous waste containers should also be dated properly.
2. The source reduction strategy should be fully developed. A department form (25R) or an in-house plan can be used.
3. The inspection logs should be clarified to list all areas that are being inspected. Any area where waste is stored should be included.

No Violations Observed. The results of the inspection were discussed with Mr. Fishman during the inspection. A copy of the report will be delivered to the facility upon completion.

This inspection report is notice of the findings of an inspection conducted by a representative of the Department. This report is formal notification of any violations observed during the inspection. Additional notification of violations may be issued concerning either violations noted herein, or other violations identified as a result of review of laboratory analyses or Department records.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal action for any violation noted herein.

Signature by the person interviewed does not necessarily imply concurrence with the findings on this report, but does acknowledge that the person was shown the report or that a copy was left with the person.

Person interviewed (signature) Date 7/19/00Inspector (signature) Date 7/19/00Page 8 of 8

DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

RCRA Corrective Action
Environmental Indicator (EI) RCRIS code (CA725)

Current Human Exposures Under Control

Facility Name: Kiwi Brands Inc.
Facility Address: Route 662 North, Douglassville, Pennsylvania 19518
Facility EPA ID #: PAD 097153399

1. Has all available relevant/significant information on known and reasonably suspected releases to soil, groundwater, surface water/sediments, and air, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been considered in this EI determination?

☒ If yes - check here and continue with #2 below.

☐ If no - re-evaluate existing data, or

☐ if data are not available skip to #6 and enter "IN" (more information needed) status code.

BACKGROUND

Definition of Environmental Indicators (for the RCRA Corrective Action)

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Current Human Exposures Under Control" EI

A positive "Current Human Exposures Under Control" EI determination ("YE" status code) indicates that there are no "unacceptable" human exposures to "contamination" (i.e., contaminants in concentrations in excess of appropriate risk-based levels) that can be reasonably expected under current land- and groundwater-use conditions (for all "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Current Human Exposures Under Control" EI are for reasonably expected human exposures under current land- and groundwater-use conditions ONLY, and do not consider potential future land- or groundwater-use conditions or ecological receptors. The RCRA Corrective Action program's overall mission to protect human health and the environment requires that Final remedies address these issues (i.e., potential future human exposure scenarios, future land and groundwater uses, and ecological receptors).

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)

Page 2

2. Are groundwater, soil, surface water, sediments, or air media known or reasonably suspected to be "contaminated"¹ above appropriately protective risk-based "levels" (applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action (from SWMUs, RUs or AOCs)?

	Yes	No	?	Rationale / Key Contaminants
Groundwater	___	<u>X</u>	___	_____
Air (indoors) ²	___	<u>X</u>	___	_____
Surface Soil (e.g., <2 ft)	___	<u>X</u>	___	_____
Surface Water	___	<u>X</u>	___	_____
Sediment	___	<u>X</u>	___	_____
Subsurf. Soil (e.g., >2 ft)	___	<u>X</u>	___	_____
Air (outdoors)	___	<u>X</u>	___	_____

X If no (for all media) - skip to #6, and enter "YE," status code after providing or citing appropriate "levels," and referencing sufficient supporting documentation demonstrating that these "levels" are not exceeded.

_____ If yes (for any media) - continue after identifying key contaminants in each "contaminated" medium, citing appropriate "levels" (or provide an explanation for the determination that the medium could pose an unacceptable risk), and referencing supporting documentation.

_____ If unknown (for any media) - skip to #6 and enter "IN" status code.

Rationale and Reference(s):

The following four releases have occurred at the facility:

- 1) January 29, 1988 - 700 gallons of mineral spirits were released due to a faulty tank level indicator at an underground storage tank. Clean up operations were immediately undertaken, with the collection of any recoverable mineral spirits, the excavation of approximately 120 tons of contaminated soil and the installation of three recovery wells.
- 2) July 24, 1990 - 30-50 gallons of mineral spirits were released at this same underground storage tank area during unloading operations. Groundwater at the three wells in the spill area were purged and sampled for petroleum hydrocarbons, and found to be non-detect. A tank overflow protection system was installed in 1990 to prevent future spills, and the underground storage tank was later removed in 1993 under Pennsylvania Department of Environmental Protection (PADEP) oversight. Groundwater sampling, required under the PADEP underground storage tank removal program, found no detectable levels of contaminants in the groundwater.
- 3) September 6, 1988 - An unknown amount of a nonhazardous surfactant (Neodol 25-7) was accidentally released from a rooftop tank. The surfactant traveled from the rooftop to an on-site fire pond. PADEP investigated the spill and found that it had been remediated through biodegradation of the Neodol 25-7.
- 4) September 13, 1994 - 115 gallons of mineral spirits were released from a delivery tanker near the tank pumphouse. Immediate containment was accomplished, and contaminated soil and asphalt were excavated and sent off-site for disposal. The excavated area was then backfilled with clean soil.

Based on these spills and the clean up actions that were taken, there is no reason to believe that any media onsite is contaminated above appropriate risk-based levels. Reference: *Environmental Indicator Inspection Report* for Kiwi Brands Inc., dated December, 1, 1998.

Footnotes:

¹ "Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriately protective risk-based "levels" (for the media, that identify risks within the acceptable risk range).

² Recent evidence (from the Colorado Dept. of Public Health and Environment, and others) suggest that unacceptable indoor air concentrations are more common in structures above groundwater with volatile contaminants than previously believed. This is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration necessary to be reasonably certain that indoor air (in structures located above and adjacent to) groundwater with volatile contaminants) does not present unacceptable risks.

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)
Page 3

3. Are there **complete pathways** between "contamination" and human receptors such that exposures can be reasonably expected under the current (land- and groundwater-use) conditions?

Summary Exposure Pathway Evaluation Table

Potential **Human Receptors** (Under Current Conditions)

"Contaminated" Media	Residents	Workers	Day-Care	Construction	Trespassers	Recreation	Food ³
Groundwater	—	—	—	—			—
Air (indoors)	—	—	—				
Soil (surface, e.g., <2 ft)	—	—	—	—	—	—	—
Surface Water	—	—			—	—	—
Sediment	—	—			—	—	—
Soil (subsurface e.g., >2 ft)	—	—		—			—
Air (outdoors)	—	—	—	—	—		

Instructions for Summary Exposure Pathway Evaluation Table:

1. Strike-out specific Media including Human Receptors' spaces for Media which are not "contaminated") as identified in #2 above.
2. enter "yes" or "no" for potential "completeness" under each "Contaminated" Media -- Human Receptor combination (Pathway).

Note: In order to focus the evaluation to the most probable combinations some potential "Contaminated" Media - Human Receptor combinations (Pathways) do not have check spaces ("—"). While these combinations may not be probable in most situations they may be possible in some settings and should be added as necessary.

— If no (pathways are not complete for any contaminated media-receptor combination) - skip to #6, and enter "YE" status code, after explaining and/or referencing condition(s) in-place, whether natural or man-made, preventing a complete exposure pathway from each contaminated medium (e.g., use optional Pathway Evaluation Work Sheet to analyze major pathways).

— If yes (pathways are complete for any "Contaminated" Media - Human Receptor combination) - continue after providing supporting explanation.

— If unknown (for any "Contaminated" Media - Human Receptor combination) - skip to #6 and enter "IN" status code

Rationale and Reference(s): _____

³ Indirect Pathway/Receptor (e.g., vegetables, fruits, crops, meat and dairy products, fish, shellfish, etc.)

Page 4

If unknown (for any complete pathway) - skip to #6 and enter "IN" status code

Rationale and Reference(s):

⁴ If there is any question on whether the identified exposures are “significant” (i.e., potentially “unacceptable”) consult a human health Risk Assessment specialist with appropriate education, training and experience.

Page 5

_____ If yes (all “significant” exposures have been shown to be within acceptable limits) - continue and enter “YE” after summarizing and referencing documentation justifying why all “significant” exposures to “contamination” are within acceptable limits (e.g., a site-specific Human Health Risk Assessment).

_____ If no (there are current exposures that can be reasonably expected to be “unacceptable”)- continue and enter “NO” status code after providing a description of each potentially “unacceptable” exposure.

_____ If unknown (for any potentially “unacceptable” exposure) - continue and enter “IN” status code

Rationale and Reference(s):

Current Human Exposures Under Control
Environmental Indicator (EI) RCRIS code (CA725)

Page 6

6. Check the appropriate RCRIS status codes for the Current Human Exposures Under Control EI event code (CA725), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (and attach appropriate supporting documentation as well as a map of the facility):

 X YE - Yes, "Current Human Exposures Under Control" has been verified. Based on a review of the information contained in this EI Determination, "Current Human Exposures" are expected to be "Under Control" at the **Kiwi Brands Inc.** facility, EPA ID # **PAD 097153399**, located at **Rte. 662 N, Douglassville, Pennsylvania, 19518** under current and reasonably expected conditions. This determination will be re-evaluated when the Agency/State becomes aware of significant changes at the facility.

 NO - "Current Human Exposures" are NOT "Under Control."

 IN - More information is needed to make a determination.

Completed by

(signature)

(print) Hilary Livingston

(title) Project Manager

Date

12/16/99

Supervisor

(signature)

(print) Paul Gotthardt

(title) Chief, Pennsylvania Operations Branch

(EPA Region or State) EPA Region 3

Date

12-16-99

Locations where References may be found:

U.S. EPA Region III
1650 Arch Street, 3WC22
Philadelphia, PA 19103 - 2029
Hours: Mon-Fri, 9:00 AM - 5:00 PM

Contact telephone and e-mail numbers

(name) Hilary Livingston
(phone #) (215) 814-3449
(e-mail) livingston.hilary@epa.gov

FINAL NOTE: THE HUMAN EXPOSURES EI IS A QUALITATIVE SCREENING OF EXPOSURES AND THE DETERMINATIONS WITHIN THIS DOCUMENT SHOULD NOT BE USED AS THE SOLE BASIS FOR RESTRICTING THE SCOPE OF MORE DETAILED (E.G., SITE-SPECIFIC) ASSESSMENTS OF RISK.

DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

RCRA Corrective Action
Environmental Indicator (EI) RCRIS code (CA750)

Migration of Contaminated Groundwater Under Control

Facility Name: Kiwi Brands Inc.
Facility Address: Route 662 N, Douglassville, Pennsylvania 19518
Facility EPA ID #: PAD 097153399

1. Has all available relevant/significant information on known and reasonably suspected releases to the groundwater media, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been **considered** in this EI determination?

☒ If yes - check here and continue with #2 below.

☐ If no - re-evaluate existing data, or

☐ if data are not available, skip to #8 and enter "IN" (more information needed) status code.

BACKGROUND

Definition of Environmental Indicators (for the RCRA Corrective Action)

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

Definition of "Migration of Contaminated Groundwater Under Control" EI

A positive "Migration of Contaminated Groundwater Under Control" EI determination ("YE" status code) indicates that the migration of "contaminated" groundwater has stabilized, and that monitoring will be conducted to confirm that contaminated groundwater remains within the original "area of contaminated groundwater" (for all groundwater "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

Relationship of EI to Final Remedies

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Migration of Contaminated Groundwater Under Control" EI pertains ONLY to the physical migration (i.e., further spread) of contaminated ground water and contaminants within groundwater (e.g., non-aqueous phase liquids or NAPLs). Achieving this EI does not substitute for achieving other stabilization or final remedy requirements and expectations associated with sources of contamination and the need to restore, wherever practicable, contaminated groundwater to be suitable for its designated current and future uses.

Duration / Applicability of EI Determinations

EI Determinations status codes should remain in RCRIS national database ONLY as long as they remain true (i.e., RCRIS status codes must be changed when the regulatory authorities become aware of contrary information).

**Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)**

Page 2

2. Is groundwater known or reasonably suspected to be "contaminated"¹ above appropriately protective "levels" (i.e., applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action, anywhere at, or from, the facility?
- _____ If yes - continue after identifying key contaminants, citing appropriate "levels," and referencing supporting documentation.
- X If no - skip to #8 and enter "YE" status code, after citing appropriate "levels," and referencing supporting documentation to demonstrate that groundwater is not "contaminated."
- _____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s):

The following four releases have occurred at the facility:

- 1) January 29, 1988 - 700 gallons of mineral spirits were released due to a faulty tank level indicator at an underground storage tank. Clean up operations were immediately undertaken, with the collection of any recoverable mineral spirits, the excavation of approximately 120 tons of contaminated soil and the installation of three recovery wells.
- 2) July 24, 1990 - 30-50 gallons of mineral spirits were released at this same underground storage tank area during unloading operations. Groundwater at the three wells in the spill area were purged and sampled for petroleum hydrocarbons, and found to be non-detect. A tank overfill protection system was installed in 1990 to prevent future spills, and the underground storage tank was later removed in 1993 under Pennsylvania Department of Environmental Protection (PADEP) oversight. Groundwater sampling, required under the PADEP underground storage tank removal program, found no detectable levels of contaminants in the groundwater.
- 3) September 6, 1988 - An unknown amount of a nonhazardous surfactant (Neodol 25-7) was accidentally released from a rooftop tank. The surfactant traveled from the rooftop to an on-site fire pond. PADEP investigated the spill and found that it had been remediated through biodegradation of the Neodol 25-7.
- 4) September 13, 1994 - 115 gallons of mineral spirits were released from a delivery tanker near the tank pumphouse. Immediate containment was accomplished, and contaminated soil and asphalt were excavated and sent off-site for disposal. The excavated area was then backfilled with clean soil.

Based on these spills and the clean up actions that were taken, there is no reason to believe that any media onsite is contaminated above appropriate risk-based levels. Reference: *Environmental Indicator Inspection Report* for Kiwi Brands Inc., dated December, 1, 1998.

Footnotes:

¹"Contamination" and "contaminated" describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriate "levels" (appropriate for the protection of the groundwater resource and its beneficial uses).

Page 3

_____ If unknown - skip to #8 and enter "TN" status code.

² “existing area of contaminated groundwater” is an area (with horizontal and vertical dimensions) that has been verifiably demonstrated to contain all relevant groundwater contamination for this determination, and is defined by designated (monitoring) locations proximate to the outer perimeter of “contamination” that can and will be sampled/tested in the future to physically verify that all “contaminated” groundwater remains within this area, and that the further migration of “contaminated” groundwater is not occurring. Reasonable allowances in the proximity of the monitoring locations are permissible to incorporate formal remedy decisions (i.e., including public participation) allowing a limited area for natural attenuation.

Page 4

_____ If yes - continue after identifying potentially affected surface water bodies.

_____ If no - skip to #7 (and enter a "YE" status code in #8, if #7 = yes) after providing an explanation and/or referencing documentation supporting that groundwater "contamination" does not enter surface water bodies.

_____ If unknown - skip to #8 and enter "IN" status code.

Rationale and Reference(s):

**Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)**

Page 6

6. Can the **discharge** of “contaminated” groundwater into surface water be shown to be “**currently acceptable**” (i.e., not cause impacts to surface water, sediments or eco-systems that should not be allowed to continue until a final remedy decision can be made and implemented⁴)?

_____ If yes - continue after either: 1) identifying the Final Remedy decision incorporating these conditions, or other site-specific criteria (developed for the protection of the site’s surface water, sediments, and eco-systems), and referencing supporting documentation demonstrating that these criteria are not exceeded by the discharging groundwater; OR 2) providing or referencing an interim-assessment,⁵ appropriate to the potential for impact, that shows the discharge of groundwater contaminants into the surface water is (in the opinion of a trained specialists, including ecologist) adequately protective of receiving surface water, sediments, and eco-systems, until such time when a full assessment and final remedy decision can be made. Factors which should be considered in the interim-assessment (where appropriate to help identify the impact associated with discharging groundwater) include: surface water body size, flow, use/classification/habitats and contaminant loading limits, other sources of surface water/sediment contamination, surface water and sediment sample results and comparisons to available and appropriate surface water and sediment “levels,” as well as any other factors, such as effects on ecological receptors (e.g., via bio-assays/benthic surveys or site-specific ecological Risk Assessments), that the overseeing regulatory agency would deem appropriate for making the EI determination.

_____ If no - (the discharge of “contaminated” groundwater can not be shown to be “**currently acceptable**”) - skip to #8 and enter “NO” status code, after documenting the currently unacceptable impacts to the surface water body, sediments, and/or eco-systems.

_____ If unknown - skip to 8 and enter “IN” status code.

Rationale and Reference(s): _____

⁴ Note, because areas of inflowing groundwater can be critical habitats (e.g., nurseries or thermal refugia) for many species, appropriate specialist (e.g., ecologist) should be included in management decisions that could eliminate these areas by significantly altering or reversing groundwater flow pathways near surface water bodies.

⁵ The understanding of the impacts of contaminated groundwater discharges into surface water bodies is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration to be reasonably certain that discharges are not causing currently unacceptable impacts to the surface waters, sediments or eco-systems.

Page 7

_____ If yes - continue after providing or citing documentation for planned activities or future sampling/measurement events. Specifically identify the well/measurement locations which will be tested in the future to verify the expectation (identified in #3) that groundwater contamination will not be migrating horizontally (or vertically, as necessary) beyond the "existing area of groundwater contamination."

If no - enter "NO" status code in #8.

If unknown - enter "IN" status code in #8.

Rationale and Reference(s):

**Migration of Contaminated Groundwater Under Control
Environmental Indicator (EI) RCRIS code (CA750)**

Page 8

8. Check the appropriate RCRIS status codes for the Migration of Contaminated Groundwater Under Control EI (event code CA750), and obtain Supervisor (or appropriate Manager) signature and date on the EI determination below (attach appropriate supporting documentation as well as a map of the facility).

☒ **YE** - Yes, "Migration of Contaminated Groundwater Under Control" has been verified. Based on a review of the information contained in this EI determination, it has been determined that the "Migration of Contaminated Groundwater" is "Under Control" at the **Kiwi Brands Inc.** facility, EPA ID # **PAD 097153399**, located on **Rte. 266N in Douglassville, Pennsylvania, 19518**. Specifically, this determination indicates that the migration of "contaminated" groundwater is under control, and that monitoring will be conducted to confirm that contaminated groundwater remains within the "existing area of contaminated groundwater" This determination will be re-evaluated when the Agency becomes aware of significant changes at the facility.

☐ **NO** - Unacceptable migration of contaminated groundwater is observed or expected.

☐ **IN** - More information is needed to make a determination.

Completed by

(signature) Hilary Livingston
(print) Hilary Livingston
(title) Project Manager

Date 12/16/99

Supervisor

(signature) Paul Gotthold
(print) Paul Gotthold
(title) Chief, Pennsylvania Operations Branch
(EPA Region or State) EPA Region 3

Date 12-16-99

Locations where References may be found:

U.S. EPA Region III
1650 Arch Street, 3WC22
Philadelphia, PA 19103 - 2029
Hours: Mon-Fri, 9:00 AM - 5:00 PM

Contact telephone and e-mail numbers

(name) Hilary Livingston
(phone #) (215) 814 -3449
(e-mail) livingston.hilary@epa.gov



ACKNOWLEDGEMENT OF NOTIFICATION
OF REGULATED WASTE ACTIVITY
(VERIFICATION)

This is to acknowledge that you have filed a Notification of Regulated Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Biennial Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER

PAD09/138399

10/29/99

INSTALLATION ADDRESS

HAUER CUSTOM MFG INC
447 OLD SWEDE RD
DOUGLASSVILLE, PA 195181237
JOHN HUGHES DIR MFG

447 OLD SWEDE RD
DOUGLASSVILLE, PA 195181237

Please refer to Section V. Line-by-Line Instructions for Completing EPA Form 8700-12 before completing this form. The information requested here is required by law (Section 3010 of the Resource Conservation and Recovery Act).



Notification of Regulated Waste Activity

United States Environmental Protection Agency

Date Received
(For Official Use Only)

I. Installation's EPA ID Number (Mark 'X' in the appropriate box)

☐

A. Initial Notification

☒B. Subsequent Notification
(Complete Item C)

C. Installation's EPA ID Number

P A D O 9 7 1 5 3 3 9 9

II. Name of Installation (Include company and specific site name)

H A U E R C U S T O M M A N U F A C T U R I N G I N C

III. Location of Installation (Physical address not P.O. Box or Route Number)

Street

4 4 7 O L D S W E D E R O A D

Street (Continued)

City or Town

D O U G L A S S V I L L E

State

Zip Code

P A

1 9 5 1 8 - 1 2 3 9

County Code

County Name

0 / /

B E R K S

IV. Installation Mailing Address (See Instructions)

Street or P.O. Box

S A M E

City or Town

State

Zip Code

V. Installation Contact (Person to be contacted regarding waste activities at site)

Name (Last)

(First)

H U G H E S

J O H N

Job Title

Phone Number (Area Code and Number)

D I R M A N U F A C T U R

6 1 0 - 3 8 5 - 9 3 6 9

VI. Installation Contact Address (See Instructions)

A. Contact Address

Location

Mailing

☒

B. Street or P.O. Box

City or Town

State

Zip Code

VII. Ownership (See Instructions)

A. Name of Installation's Legal Owner

J A M E S E H A U E R

Street, P.O. Box, or Route Number

S A M E

City or Town

State

Zip Code

Phone Number (Area Code and Number)

6 1 0 - 3 8 5 - 9 5 0 0

B. Land Type

☐

C. Owner Type

☐

D. Change of Owner Indicator

Yes

☒

No

(Date Changed)

Month

Day

Year

0 8

3 0

9 9

ID - For Official Use Only

VIII. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes. Refer to Instructions)

A. Hazardous Waste Activity

1. Generator (See Instructions)
- ☒ a. Greater than 1000kg/mo (2,200 lbs.)
- ☐ b. 100 to 1000 kg/mo (220-2,200 lbs.)
- ☐ c. Less than 100 kg/mo (220 lbs.)
2. Transporter (Indicate Mode in boxes 1-5 below)
- ☐ a. For own waste only
- ☐ b. For commercial purposes

Mode of Transportation

- ☐ 1. Air
- ☐ 2. Rail
- ☐ 3. Highway
- ☐ 4. Water
- ☐ 5. Other - specify

- ☐ 3. Treater, Storer, Disposer (at installation) Note: A permit is required for this activity, see Instructions.
4. Hazardous Waste Fuel
- ☐ a. Generator Marketing to Burner
- ☐ b. Other Marketers
- ☐ c. Boiler and/or Industrial Furnace
- ☐ 1. Smelter Deferral
- ☐ 2. Small Quantity Exemption
- Indicate Type of Combustion Device(s)
- ☐ 1. Utility Boiler
- ☐ 2. Industrial Boiler
- ☐ 3. Industrial Furnace
- ☐ 5. Underground Injection Control

B. Used Oil Recycling Activities

1. Used Oil Recycling Marketer
- ☐ a. Marketer Directs Shipments of Used Oil to Off-Specification Burner
- ☐ b. Marketer Who First Claims the Used Oil Meets the Specifications
2. Used Oil Burner - Indicate Type(s) of Combustion Device
- ☐ a. Utility Boiler
- ☐ b. Industrial Boiler
- ☐ c. Industrial Furnace
3. Used Oil Transporter - Indicate Type(s) of Combustion Device(s)
- ☐ a. Transporter
- ☐ b. Transfer Facility
4. Used Oil Processor/Re-refiner - Indicate Type(s) of Activity(ies)
- ☐ a. Process
- ☐ b. Re-refine

IX. Description of Regulated Wastes (Use additional sheets if necessary)

A. Characteristics of Nonlisted Hazardous Wastes. (Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles; See 40 CFR Parts 261.20 - 261.24)

1. Ignitable (D001) ☒ X
2. Corrosive (D002) ☒ X
3. Reactive (D003) ☐
4. Toxicity Characteristic (List specific EPA hazardous waste number(s) for the Toxicity characteristic contaminant(s)) D039 ☒ + D 0 0 6 D 0 0 7 D 0 1 8 D 0 2 2

B. Listed Hazardous Wastes. (See 40 CFR 261.31 - 33; See Instructions if you need to list more than 12 waste codes.)

1	2	3	4	5	6
F 0 0 2	F 0 0 3	F 0 0 5			
7	8	9	10	11	12

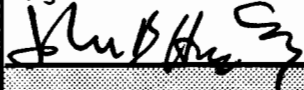
C. Other Wastes. (State or other wastes requiring a handler to have an I.D. number; See Instructions.)

1	2	3	4	5	6

X. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature



Name and Official Title (Type or print)

JOHN B. HUGHES, DIR MANUFACTUR

Date Signed

9/1/99

XI. Comments

OFN: Kiwi Bromds Inc.

BAH/cm 10/5/99

Note: Mail completed form to the appropriate EPA Regional or State Office. (See Section III of the booklet for addresses.)



HAUER CUSTOM MANUFACTURING, INC.

447 Old Swede Road • Douglassville, PA 19518-1239 • (610) 385-9500 • Fax: (610) 385-9419

SEP 23 1999
EPA REGION III

1 September 1999

U. S. EPA Region III
RCRA Programs Branch
Pennsylvania Section (3 HW51)
841 Chestnut Street
Philadelphia, PA 19107

RE: Update of EPA Form 8700-12
Notification of Regulated Waste Activity

The company name has changed from Kiwi Brands to Hauer Custom Manufacturing, Inc.
No other changes relative to our waste management activities have changed.

If you have any questions, please contact me at 610-385-9369.

Sincerely,

A handwritten signature in black ink, appearing to read 'John B. Hughes'. The signature is stylized with a large 'J' and 'H'.

John B. Hughes
Director of Manufacturing



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

MAY 7 1999

Dr. Michael V. Mellinger, Ph.D., REM
Environmental Affairs Manager
447 Old Swede Road
Douglassville, PA 19518-1239

RE: Kiwi Brands Inc., PAD097153399

Dear Dr. Mellinger:

As we discussed in our phone conversation May 4, 1999, enclosed please find the "Environmental Indicator Inspection Report" for the Kiwi Brands Inc. Facility. This report serves as the Administrative Record that will be made available for public review at the following locations:

U.S. EPA Region II
1650 Arch Street
Philadelphia, PA 19103-2029
Contact: Hilary Livingston
Voice: (215) 814-3449
Fax: (215) 814-3113
E-mail: livingston.hilary@epa.gov

PADEP
1005 Cross Roads Blvd.
Reading, PA 19605
Contact: Mike Maiolie
Phone: (610) 916-0100
Fax: (610) 916-0110

The "Statement of Basis" and the "Public Notice" for the Kiwi Brands site will be forwarded to you within the next two weeks. The "Public Notice" is tentatively scheduled for newspaper release on May 18, 1999.

Thank you for your cooperation in this matter, your patience is greatly appreciated. If you have any further questions, please do not hesitate to contact me at (215)-814-3449.

Sincerely,

A handwritten signature in cursive script that reads "Hilary Livingston".

Hilary Livingston, Project Manager
Pennsylvania Operations Branch



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

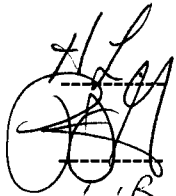
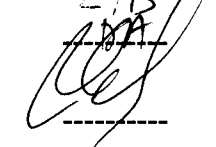
SUBJECT: Draft Decision for
Kiwi Brands Inc.
Douglassville, PA

DATE: 05/18/99

FROM: Paul Gotthold, Chief
Pennsylvania Operations Branch (3WC22)

TO: Maria Parisi Vickers,
Associate Director for RCRA
Waste and Chemicals Management Division (3WC20)

Attached for your concurrence is the Statement of Basis and Public Notice for EPA's decision that no further corrective action be required for Kiwi Brands Inc., Douglassville, PA. Kiwi Brands Inc. has investigated and cleaned up any releases of hazardous waste or constituents that may have occurred at their property as required under the "Hazardous and Solid Waste Amendments" (HSWA) of 1984. EPA's proposal that no further action be required at the Kiwi Brands site will be made public on May 25, 1999, and a 45 day comment period will follow, ending July 9, 1999.

Addresses	Initials	Date
Hilary Livingston (3WC22)		5/18/99
Paul Gotthold (3WC22)		5-18-99
ORC (3RC32)		5/19/99
Maria Parisi Vickers (3WC20)		5/20/99
		5-24-99

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

PROPOSED AGENCY DETERMINATION

UNDER THE
RESOURCE CONSERVATION AND RECOVERY ACT
AS AMENDED BY THE HAZARDOUS AND SOLID WASTE
AMENDMENTS OF 1984

Issued to: Kiwi Brands Inc., Douglassville, PA Facility

ID Number: PAD 097 153 399

Facility: Route 662 North, Douglassville, PA, 19518

This Agency Determination is issued by the United States Environmental Protection Agency (EPA) under the authority of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. § 6901 et seq., and EPA regulations at 40 C.F.R. Parts 260-271 and Part 124, to Kiwi Brands Inc. Facility in Douglassville, PA, at latitude 40° 15' 28" North and longitude 75° 43' 35" West (the Facility). EPA has determined that no further corrective action is necessary at this time.

Although Kiwi Brands Inc. does not require a permit from either the Pennsylvania Department of Environmental Protection (PADEP), or the EPA, EPA is using the administrative procedures found in 40 CFR Part 270, to provide public notice and solicit comment on EPA's draft determination.

This determination completes the corrective action process under HSWA, at this time. The Facility must continue to comply with all applicable parts of RCRA.

Date Signed

Maria Parisi Vickers,
Associate Division Director for RCRA
Waste and Chemical Management Division



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

Dr. Michael Mellinger
Environmental Affairs Manager
447 Old Swede Road
Douglassville, PA 19518-1239

RE: Agency Determination, Kiwi Brands Inc. (PAD 097153399)

Dear Dr. Mellinger,

This letter is to inform you of the decision by the United States Environmental Protection Agency (EPA) concerning corrective action at the Kiwi Brands Inc. Facility in Douglassville, PA. Representatives from EPA and the Pennsylvania Department of Environmental Protection (PADEP) visited this Facility and evaluated the available information. Both agencies agree that there have been no releases of hazardous waste or hazardous constituents at this Facility which currently need remediation under the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA). Based on this information, there is no need for HSWA corrective action permit conditions at this time.

On July 9, 1999, EPA completed the public comment period for this Kiwi Brands Inc. Facility. EPA did not receive any comments on its proposal that no corrective action is necessary under HSWA. Therefore, EPA has adopted the proposed decision as the final decision.

Even though corrective action is not necessary at this time, Kiwi Brands, Inc. remains responsible for complying with the self implementing HSWA regulations.

If you have any questions, please contact Hilary Livingston at (215) 814-3449.

Sincerely,

Maria Parisi Vickers,
Associate Division Director for RCRA
Waste and Chemical Management Division

cc: Mike Maiolie (PADEP)

STATEMENT OF BASIS

Kiwi Brands Inc. - Douglassville, Pennsylvania
PAD 097153399

I. INTRODUCTION

This Statement of Basis is for Kiwi Brands Inc., in Douglassville, Pennsylvania (hereafter called the "Facility"). After a thorough site inspection of the Facility, and an evaluation of past remediation practices, the Environmental Protection Agency (EPA) believes that no further corrective action, pursuant to the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. § 6901 et seq., is necessary at Kiwi Brands Inc. at this time. The purpose of this document is to solicit public comment on the proposal that no further corrective action is required at this time at Kiwi Brands Inc.

Although Kiwi Brands Inc. does not require a permit from either the Pennsylvania Department of Environmental Protection (PADEP), or the EPA, EPA is using the administrative procedures found in 40 CFR Part 270, to provide public notice and solicit comment on EPA's draft determination.

II. FACILITY BACKGROUND

Operation at this Facility began in 1980, when Kiwi Brands Inc. moved from Pottstown, PA to Route 662, Douglassville Township, Berks County, Pennsylvania. Kiwi Brands Inc. manufactures a variety of shoe care and toilet bowl products. The hazardous waste generated at the Facility includes various forms of waste shoe polish, bleach toilet bowl tablets, cleaning solvents, and aerosol containers. This waste is stored at the Facility for less than ninety days before being shipped off-site for disposal.

III. RELEASE HISTORY

On January 29, 1988, during a bulk delivery of mineral spirits to an underground storage tank, a faulty tank level indicator was the cause of a tank overfill. Approximately 700 gallons of mineral spirits were released to the environment. Cleanup operations were immediately undertaken, with the collection of any recoverable mineral spirits, the excavation of approximately 120 tons of contaminated soil and the installation of three recovery wells.

On July 24, 1990, between 30 and 50 gallons of mineral spirits was released at this same underground storage tank area during unloading operations. The three recovery wells in the spill area were purged until petroleum hydrocarbons were no longer detected in the groundwater. In 1990, a tank overfill protection system was installed to prevent any future spills during truck unloading operations. This underground storage tank was later removed in 1993 under PADEP oversight. Groundwater sampling, required under the PADEP underground storage tank removal program, found no detectable levels of contaminants in the groundwater.

On September 6, 1988, an unknown amount of a nonhazardous surfactant (Neodol 25-7), was released when a rooftop tank overflowed during unloading of the material. The surfactant continued to travel from the rooftop, down rainwater downspouts, and into an on-site fire pond. PADEP investigated the spill and found that it had been sufficiently remediated through the temporary storage of affected pond sludge and biodegradation of the Neodol 25-7. The temporary pond sludge holding area was later emptied and dismantled under PADEP approval.

On September 13, 1994, approximately 115 gallons of mineral spirits was released when a tanker delivering mineral spirits accidentally released mineral spirits to the ground near the tank pumphouse. Immediate containment was accomplished, and contaminated soil and asphalt were excavated and sent offsite for disposal. The excavated area was then backfilled with clean soil.

IV. SUMMARY OF FACILITY AREAS

Currently, there are five Solid Waste Management Units (SWMU) at the Facility:

- Main Drum Storage Area - A storage area for drums containing hazardous and non-hazardous waste waiting for off-site disposal. The drums are properly labeled and dated, and the area is secured, as required by PADEP regulations, to adequately contain hazardous material in the event a spill should occur.
- Aerosol Waste Storage Area - A storage area for drums containing waste aerosol cans waiting for off-site disposal. The storage area is located in a special room that has been designed for storing aerosol containers, with automatic closing doors and gates in the event of a fire and a fire suppression system. All drums in this area are properly labeled and dated.
- Evaporating Unit - Liquid waste from the production lines is evaporated in three stainless steel lined concrete pits in the rear of the building. Sludge from the pits is characterized before being disposed of off site as a non-hazardous waste. From 1980 until 1986, sludge containing mercury was produced from the evaporator unit. In 1986, under PADEP approval, the Facility altered its manufacturing process to exclude the use of mercury containing products.
- Flammable Liquids Storage/Fill Area - A storage area for drums containing flammable liquid solvents. This area is located in a fire/explosion proof room that has appropriate

secondary containment. All drums in this area are properly labeled and dated.

- Compactor Dumpster - A storage area for the plant trash. This dumpster is taken to Pottstown Landfill as a residual waste.

Other areas at the Facility include:

- Three aboveground storage tanks containing mineral spirits, for use in the manufacturing process, are located outside of the southeast corner of the Facility. These tanks are inside a concrete pit which serves as a secondary containment system, and all piping is double walled.
- Three aboveground storage tanks containing liquid paraffin, for use in the manufacturing process, are located in the southeast corner of the building. There is no secondary containment system for these tanks, however in the event of a release of liquid paraffin, the paraffin would solidify, preventing it from contaminating groundwater, surface water and air. Contaminated soil in such an event could be easily removed.
- The one remaining underground storage tank at the Facility is a 10,000 gallon tank containing fuel oil. The tank was installed in 1995. This tank meets all applicable state and federal requirements for underground storage tanks. (Federal requirements can be found at 40 CFR Part 280.)

There are four media through which humans could be exposed to potential releases:

- Air: Currently there is no known or reasonably suspected contamination to either outdoor air, or indoor air from any of the SWMUs at the Facility.
- Groundwater: Currently there is no known or reasonably suspected contamination to the groundwater from any of the SWMUs at the Facility.
- Surface Water: Currently there is no known or reasonably suspected contamination to the surface water from any of the SWMUs at the Facility.
- Soil: Currently there is no known or reasonably suspected contamination to the soil from any of the SWMUs at the Facility.

Based on a review of all the information received concerning previous spills at Kiwi Brands Inc., as well as the current conditions of the aboveground storage tanks, underground storage tank, and SWMUs, the EPA has determined that no further corrective action is required at this Facility at this time.

V. PUBLIC PARTICIPATION

EPA is requesting comments from the public on its proposal that no corrective action will be required at this Facility at this time. The public comment period will last forty-five (45) calendar days from the date that this matter is publicly noticed in a local newspaper (May 25 to July 9, 1999). Comments may be sent to EPA in writing at the EPA address listed below, and all commentors will receive a copy of the final decision and a copy of the response to comments.

A public meeting will be held upon request. Requests for a public meeting should be made to Ms. Hilary Livingston of the EPA Regional Office (215-814-3449).

The Administrative Record contains all information considered by EPA when making this proposal to not require further corrective action at this Facility at this time. The Administrative Record is available at the following locations:

U.S. EPA Region III
1650 Arch Street, 3WC22
Philadelphia, PA 19103-2029
Hours: Mon-Fri, 9:00 AM - 5:00 PM
Contact: Hilary Livingston
Voice: (215) 814-3449
Fax: (215) 814-3113
E-mail: livingston.hilary@epa.gov

PA DEP
1005 CrossRoads Blvd.
Reading, PA 19605
Hours: Mon-Fri, 8:00 AM - 4:00 PM
Contact: Mike Mailoie
(610) 916-0100

Following the forty-five (45) calendar day public comment period, EPA will prepare a final decision which will address all written comments and any substantive comments presented orally at a public meeting. This final decision will be incorporated into the Administrative Record. If the comments are such that significant changes are made to the proposal that no corrective action is needed at this Facility at this time, EPA will seek public comments on the revised proposal.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Dr. Michael Mellinger
Environmental Affairs Manager
447 Old Swede Road
Douglassville, PA 19518-1239

JUL 19 1999

RE: Agency Determination, Kiwi Brands Inc. (PAD 097153399)

Dear Dr. Mellinger:

This letter is to inform you of the decision by the United States Environmental Protection Agency (EPA) concerning corrective action at the Kiwi Brands Inc. Facility in Douglassville, Pennsylvania. Representatives from EPA and the Pennsylvania Department of Environmental Protection (PADEP) visited this Facility and evaluated the available information. Both agencies agree that there have been no releases of hazardous waste or hazardous constituents at this Facility which currently need remediation under the 1984 Hazardous and Solid Waste Amendments (HSWA) to the Resource Conservation and Recovery Act (RCRA). Based on this information, there is no need for HSWA corrective action permit conditions at this time.

On July 9, 1999, EPA completed the public comment period for this Kiwi Brands Inc. Facility. EPA did not receive any comments on its proposal that no corrective action is necessary under HSWA. Therefore, EPA has adopted the proposed decision as the final decision.

Even though corrective action is not necessary at this time, Kiwi Brands, Inc. remains responsible for complying with the self implementing HSWA regulations.

If you have any questions, please contact Hilary Livingston at (215) 814-3449.

Sincerely,

A handwritten signature in cursive script, reading "Maria Parisi Vickers", is written over a horizontal line.

Maria Parisi Vickers
Associate Division Director for RCRA
Waste and Chemical, Management Division

cc: Mike Maiolie (PADEP)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

AGENCY DETERMINATION

UNDER THE
RESOURCE CONSERVATION AND RECOVERY ACT
AS AMENDED BY THE HAZARDOUS AND SOLID WASTE
AMENDMENTS OF 1984

Issued to: Kiwi Brands Inc., Douglassville, PA Facility

ID Number: PAD 097 153 399

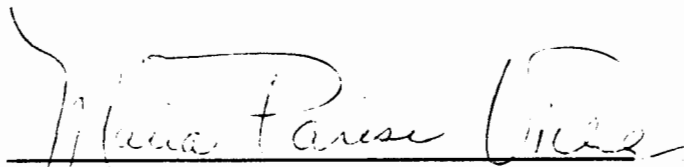
Facility: Route 662 North, Douglassville, PA, 19518

This Agency Determination is issued by the United States Environmental Protection Agency (EPA) under the authority of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. § 6901 et seq., and EPA regulations at 40 C.F.R. Parts 260-271 and Part 124, to Kiwi Brands Inc. Facility in Douglassville, PA, at latitude 40° 15' 28" North and longitude 75° 43' 35" West (the Facility). EPA has determined that no further corrective action is necessary at this time.

Although Kiwi Brands Inc. does not require a permit from either the Pennsylvania Department of Environmental Protection (PADEP), or the EPA, EPA used the administrative procedures found in 40 CFR Part 270, to provide public notice and solicit comment on EPA's draft determination. The public notice period ended on July 9, 1999. EPA did not receive any comments on its draft determination, therefore EPA has adopted the draft determination as the final determination.

This determination completes the corrective action process under HSWA, at this time. The Facility must continue to comply with all applicable parts of RCRA.

July 19, 1999
Date Signed


Maria Parisi Vickers,
Associate Division Director for RCRA
Waste and Chemical Management Division

11 May 1999

Ms. Hilary Livingston, Project Manager
Pennsylvania Operations Branch
USEPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Corrections to "ENVIRONMENTAL INDICATOR INSPECTION REPORT" dated
December 1, 1998 prepared by USACOE

Dear Ms. Livingston:

As we discussed on 10 May 1999 there are incorrect combinations of facts in the above report in the section titled "Meeting Summary, B. Description of all Solid Waste Management Units (SWMUs) and/or Areas of Concern (AOCs) as well as description of known and/or potential releases. Past hazardous material releases at the site include the following:" starting on page 2. Information from one release was incorrectly associated with another release. I have written the correct passages below.

- January 29, 1988 - Approximately 700 gallons of mineral spirits released (refer to Figure 4). During a bulk delivery of mineral spirits to an underground storage tank, a faulty tank level indicator caused a tank overfill. Cleanup operations were immediately undertaken, and included collection of any recoverable mineral spirits, excavation of approximately 120 tons of contaminated soil, and installation of three recovery wells. The contaminated soil was properly disposed as verified by the disposal manifest. In a letter dated September 20, 1989 from Mr. Edward Strauch, Jr., Manager, Analytical & Environmental Affairs at Kiwi Brands to Mr. Michael Maiolie of PADEP "Well testing was performed every six months to monitor the residual solvent level." The results from sampling on July 28, 1989 verified that the solvent level was less than the analytical detection limit.

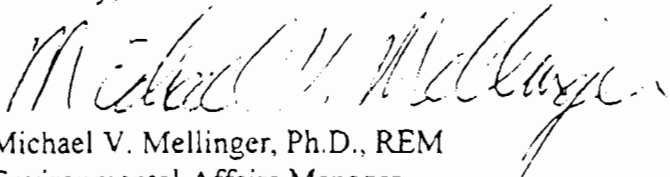
- September 13, 1994 - Approximately 115 gallons of mineral spirits released (refer to Figure 4). A tanker delivering mineral spirits accidentally released mineral spirits to the ground near the tank pumphouse due to a valve not being closed before a pump was activated. Immediate containment was accomplished. Contaminated soil and asphalt were excavated and sent offsite for disposal. The excavated area was refilled with clean soil. In a letter from Dr. Mellinger to Ms. Susan Kinkaid of PADEP dated November 23, 1994 Kiwi presented a "Certificate of Soil Remediation" from Soil Remediation of Philadelphia, Inc. confirming that the soil contaminated by the release was properly disposed.

NOTE: Figure 4 should also be amended by adding the September 1994 release information into the box for Mineral Spirits Releases (but not from former UST's since the UST's had been removed before this release.

The last two sentences in the current version of the report for the January 29, 1888 release starting with "In late 1993, Kiwi removed the UST..." are not part of the information for this release. The information actually refers to work Kiwi Brands did in connection with removing our mineral spirits UST's and replacing them with AST's.

I hope this explanation will help to clarify the releases and related information for our site. If you have any questions or need additional information, please contact me at 610-385-9246.

Cordially,



Michael V. Mellinger, Ph.D., REM
Environmental Affairs Manager

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

AGENCY DETERMINATION

UNDER THE
RESOURCE CONSERVATION AND RECOVERY ACT
AS AMENDED BY THE HAZARDOUS AND SOLID WASTE
AMENDMENTS OF 1984

Issued to: Kiwi Brands Inc., Douglassville, PA Facility

ID Number: PAD 097 153 399

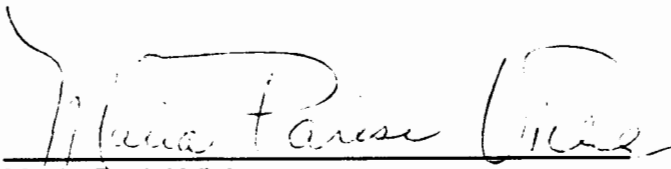
Facility: Route 662 North, Douglassville, PA, 19518

This Agency Determination is issued by the United States Environmental Protection Agency (EPA) under the authority of the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), 42 U.S.C. § 6901 et seq., and EPA regulations at 40 C.F.R. Parts 260-271 and Part 124, to Kiwi Brands Inc. Facility in Douglassville, PA, at latitude 40° 15' 28" North and longitude 75° 43' 35" West (the Facility). EPA has determined that no further corrective action is necessary at this time.

Although Kiwi Brands Inc. does not require a permit from either the Pennsylvania Department of Environmental Protection (PADEP), or the EPA, EPA used the administrative procedures found in 40 CFR Part 270, to provide public notice and solicit comment on EPA's draft determination. The public notice period ended on July 9, 1999. EPA did not receive any comments on its draft determination, therefore EPA has adopted the draft determination as the final determination.

This determination completes the corrective action process under HSWA, at this time. The Facility must continue to comply with all applicable parts of RCRA.

July 19, 1999
Date Signed



Maria Parisi Vickers,
Associate Division Director for RCRA
Waste and Chemical Management Division



KIWI BRANDS

Division of Sara Lee Corporation

447 OLD SWEDE ROAD, DOUGLASSVILLE, PA 19518-1239 • PHONE: (610) 385-3041 • FAX: (610) 385-6177

11 May 1999

Ms. Hilary Livingston, Project Manager
Pennsylvania Operations Branch
USEPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Corrections to "ENVIRONMENTAL INDICATOR INSPECTION REPORT" dated
December 1, 1998 prepared by USACOE

Dear Ms. Livingston:

As we discussed on 10 May 1999 there are incorrect combinations of facts in the above report in the section titled "Meeting Summary, B. Description of all Solid Waste Management Units (SWMUs) and/or Areas of Concern (AOCs) as well as description of known and/or potential releases. Past hazardous material releases at the site include the following:" starting on page 2. Information from one release was incorrectly associated with another release. I have written the correct passages below.

- January 29, 1988 - Approximately 700 gallons of mineral spirits released (refer to Figure 4). During a bulk delivery of mineral spirits to an underground storage tank, a faulty tank level indicator caused a tank overflow. Cleanup operations were immediately undertaken, and included collection of any recoverable mineral spirits, excavation of approximately 120 tons of contaminated soil and installation of three recovery wells. The contaminated soil was properly disposed as verified by the disposal manifest. In a letter dated September 20, 1989 from Mr. Edward Strauch, Jr., Manager, Analytical & Environmental Affairs at Kiwi Brands to Mr. Michael Maiolic of PADEP "Well testing was performed every six months to monitor the residual solvent level." The results from sampling on July 28, 1989 verified that the solvent level was less than the analytical detection limit.

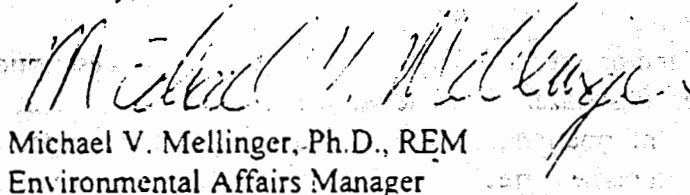
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NOTE: Figure 4 should also be amended by adding the September 1994 release information into the box for Mineral Spirits Releases (but not from former UST's since the UST's had been removed before this release.

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I hope this explanation will help to clarify the releases and related information for our site. If you have any questions or need additional information, please contact me at 610-385-9246.

Cordially,


Michael V. Mellinger, Ph.D., REM
Environmental Affairs Manager